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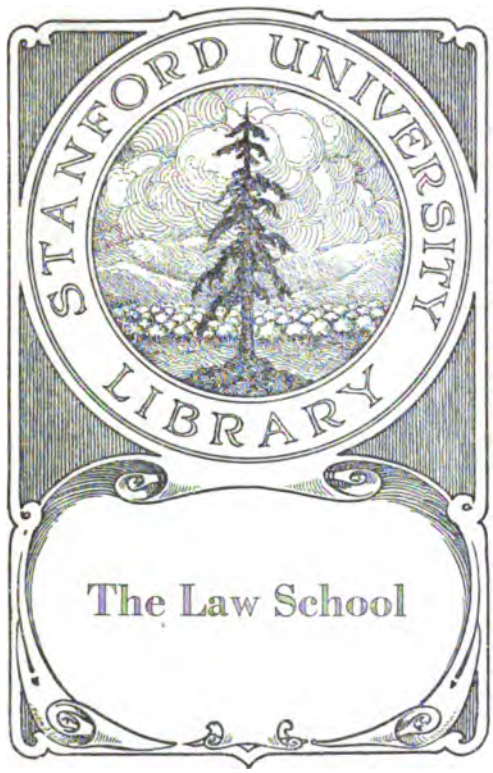
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PASSED,

AND

JOINT RESOLUTIONS

ADOPTED

BY THE

SIXTY-SEVENTH GENERAL ASSEMBLY

AT ITS REGULAR SESSION,

BEGUN AND HELD IN THE CITY OF COLUMBUS JANUARY 4, 1886.

VOLUME LXXXIII.

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GENERAL LAWS.

[House Bill No. 5.]

AN ACT

To provide for a deficiency caused by the publication of the constitutional amendments.

Appropriation for publishing constitutional amendments.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of thirty four thousand and fifty-two dollars and forty cents ($34,052 40), for the publication of the constitutional amendments, provided for by the act passed April 9, 1885, (O. L. [82], pp. 116 and 117). The same shall be paid in accordance with section five of said act.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed January 29, 1886.

[Senate Bill No. 13.]

AN ACT

To amend section two of an act supplementary to an act relating to Soldiers' Memorial Associations, passed April 2, 1884, (81 O. L., p. 99).

Relieving soldiers' memorial associations from taxation.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two (2) of an act supplementary to an act relating to Soldiers' Memorial Associations, passed April 2, 1884, be and the same is hereby amended to read as follows:

SEC. 2. That the real estate held or occupied by any memorial or monumental association or corporation described in the first section of this act, shall be free from all State, county, township and municipal corporation taxes, as well as any and all unpaid taxes now assessed, or a lien thereon.

SECTION 2. That original section two be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 3, 1886.

[Senate Bill No. 4.]

AN ACT

To change the time for holding the fall terms of the circuit court in the counties of Hancock, Crawford and Van Wert, for the year 1886.

Changing time of Hancock, Crawford and Van Wert circuit courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the fall terms of the circuit court in the counties of Hancock, Crawford and Van Wert, as fixed by the circuit court judges, be and the same are hereby changed so that said terms shall be held as follows:

In Hancock county, on the 12th day of October, 1886.

In Crawford county, on the 4th day of November, 1886.

In Van Wert county, on the 26th day of November, 1886.

SECTION 2. This act shall take effect and be in force on and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed February 3, 1886.

[House Bill No. 52.]

AN ACT

Making appropriations for the support of the common schools of Ohio.

Appropriations for support of common schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated, out of any moneys raised or coming into the State treasury for the support of the common schools of this State, one million six hundred and forty-three thousand two hundred and three dollars and fifty cents ($1,643,203.50), or so much thereof as may come into the said treasury for that purpose, to be distributed and paid out, in the manner provided by law, for the support of the said common schools.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed February 9, 1886.

[House Bill No. 53.]

AN ACT

To change the times of holding the court of common pleas in Athens county, Ohio, for the year 1886.

Changing times of Athens common pleas court.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time fixed by the judges of the 7th judicial district of Ohio for holding a term of the court of common pleas in Athens county, on the 28th day of February, A. D. 1886, be changed so as to hold said term on the first day of March, A. D. 1886.

SECTION 2. That the time of holding the court of common pleas in Athens county fixed by the judges of said court to be held May 30, A. D. 1886, be changed so as to hold said term on the 31st day of May, 1886.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 9, 1886.

[House Bill No. 9.]

AN ACT

To change the time for holding the November term of the common pleas court in the county of Perry, for the year 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time for holding the November term, 1886, of the court of common pleas in the county of Perry, as fixed by the judges of the seventh judicial district, be and the same is hereby changed, so that said term shall be held on the 18th day of October, 1886, instead of the time as fixed by the said judges.

Changing time for holding Perry common pleas court.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 16, 1886.

[House Bill No. 55.]

AN ACT

To amend section 4889 of the Revised Statutes of Ohio, as amended February 4, 1885, (O. L. v. 82, p. 49).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4889 of the Revised Statutes, as amended February 4, 1885, (O. L. v. 82, p. 49), be amended so as to read as follows:

SEC. 4889. Each township in the counties of Belmont, Butler, Carroll, Champaign, Clinton, Columbiana, Cuyahoga, Darke, Delaware, Erie, Fayette, Franklin, Geauga, Greene, Hamilton, Henry, Huron, Licking, Lucas, Madison, Montgomery, Muskingum, Ottawa, Pike, Preble, Ross, Shelby, Stark, Summit, Trumbull, Tuscarawas, Vinton, Washington, Warren, and Wayne, in which any such free road is located, shall be a road district, for the care and maintenance thereof.

Road districts for repair of improved roads.

SECTION 2. Said section 4889, as amended February 4, 1885, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 16, 1886.

[Senate Bill No. 41.]

AN ACT

To change the time for holding the March term of the court of common pleas in the county of Holmes for the year 1886.

Changing time of Holmes common pleas court.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time for holding the March term of the court of common pleas, in the county of Holmes, as fixed by the judges of the sixth judicial district, be and the same is hereby changed, so that said term shall be held on the 24th day of May, 1886, instead of the time as fixed by said judges.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 17, 1886.

[House Bill No. 135.]

AN ACT

To correct sections 628, 629, 634, 635, 752, 753, 754, 756, 758, 759, 760, 761 and 764 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 628, 629, 634, 635, 752, 753, 754, 756, 758, 759, 760, 761 and 764 of the Revised Statutes of Ohio are so amended as to read as follows:

Officers benevolent institutions not to be interested in contracts.

SEC. 628. No trustee or officer of any benevolent institution may be, either directly or indirectly, interested in any purchase for, or contract on behalf of such institution, and in addition to the liability of any trustee, or officer, violating this inhibition to respond in damages for any injury sustained by the institution by his act, he shall be forthwith removed from office.

Eligibility as superintendent or steward.

SEC. 629. No trustee of any benevolent institution is eligible to the office of superintendent, or steward of such institution during the term for which he was appointed, nor within one year after his term expires.

Board of trustees.

SEC. 634. The control and management of the state benevolent institutions, including the boys' industrial school and the girls' industrial home, are under a board of five trustees for each institution. The trustees shall elect one of their number as president of the board.

Appointment of trustees.

SEC. 635. The governor shall, annually, by and with the advice and consent of the senate, appoint one trustee for each of the state benevolent institutions, including the boys' industrial school and the girls' industrial home, who shall hold his office for the term of five years from the first Monday in April next after his appointment.

Boys' industrial school; committal and discharge of youths.

SEC. 752. The boys' industrial school situate in Fairfield county, has for its object the reformation of those committed to its charge; and all youth committed thereto shall be committed until they arrive at full age, unless sooner reformed; provided, that the

judge of the court sentencing such youth may order their discharge whenever he is satisfied by a re-examination of the facts connected with the arrest, conviction, and detention of the person confined, due notice of the time and place of such rehearing having first been given by the court to the superintendent of the boys' industrial school, that the future welfare of such youth and the interest of society will not be endangered thereby.

Admission of youths to school.

SEC. 753. Male youth, not over sixteen nor under ten years of age, may be committed to the boys' industrial school by any judge of a police court, judge of the common pleas court or probate court, on conviction of any offense against the laws of the state.

Admission of convicts to school.

SEC. 754. Any such youth convicted of any crime or offense, the punishment of which is, in whole or in part, confinement in the jail or penitentiary, may, at the discretion of the court giving sentence, in lieu of being sent to the jail or penitentiary, be committed to the boys' industrial school.

Cause of commitment, etc., set forth in papers.

SEC. 756. No such youth shall be received into the boys' industrial school unless the cause of commitment is set forth in the papers presented with such youth, and the trustees shall also require that the age of such youth and such other information as they may deem important, shall likewise be furnished.

Arrest and return of fugitives.

SEC. 758. Any fugitive from the boys' industrial school may, on the order of the superintendent, or other officer of the institution, be arrested and returned to the school, or to any officer or agent thereof, by any sheriff, constable or police officer, or other person, and may also be arrested and returned by any officer or agent of the school.

Payment of costs and expenses of transportation.

SEC. 759. The costs in any case, and the expenses incurred in the transportation of a youth to the boys' industrial school, shall be paid by the county from which he is committed, to the officer delivering him, upon the presentation of his sworn statement of account, and the certificate therete of the proper officer of the institution; if, however, such youth has been convicted of a crime, the punishment of which is confinement in the penitentiary, the costs in the case and the expenses of his transportation shall, on like statement and certificate, be paid out of the State treasury. An officer charged with the execution of the commitment of a youth, shall retain in his custody the person so ordered to be committed, until he is notified by the officers of the boys' industrial school that there is room for him.

Education of inmates.

SEC. 760. The inmates of the boys' industrial school shall receive such education, and shall be instructed in such branches of industry, agricultural or mechanical, or otherwise as the board, from time to time, determines, the reformation of such inmates, and preparation for usefulness being kept in view in the administration of the institution; and for this purpose the board may introduce and carry on any branches of industry that are thought to be conducive to these ends.

Power of governor as to juvenile offenders.

SEC. 761. The governor may, upon the written application of the superintendent of the boys' industrial school, or when it otherwise is made to appear to him that it is expedient, cause any juvenile offender, confined in the penitentiary, or in any house of refuge, to be transferred to the boys' industrial school, the expense of such removal to be paid by the State; and, any person so

removed from the penitentiary, or sentenced to the penitentiary, shall, while at the boys' industrial school, be governed by the same rules and regulations, relative to deportment and discharge, as other persons committed to such institutions; and the governor may, for satisfactory reasons, remand to the penitentiary, offenders so transferred to the boys' industrial school, to serve out whatever there remains of the period covered by the sentence.

School made special road district.

SEC. 764. The boys' industrial school, with the lands thereto attached, is declared to be a special road district, and the superintendent is vested with all the powers of a supervisor of roads for such districts; he is authorized to alter the public roads on such lands in such manner as is found to be necessary for the general plan and outline of the same; but no alteration shall be made by which existing roads shall be greatly lengthened, or their grade materially increased, or their general use to the public materially impaired; all such alterations must be approved by the commissioners of the county of Fairfield before they can be made.

SECTION 2. That sections 628, 629, 634 and 635 as amended April 14, 1880, (77 v. 203), 752 as amended February 18, 1885, (82 v. 64), 753 as amended April 18, 1881, (78 v. 167), 754, 756, 758, 759, 760, 761 as amended April 19, 1881, (78 v. 220), and 764 of the Revised Statutes of Ohio are repealed.

Term of trustees now in office

SECTION 3. Nothing in this act shall be so construed as to vacate the term of any such trustee now in office.

SECTION 4. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed February 23, 1886.

[House Bill No. 180.]

AN ACT

To repeal an act entitled "an act relating to agricultural fair grounds," passed January 31, 1881, (Ohio Laws, vol. 78, page 20.)

Repeal of an act relating to fair grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act entitled "an act relating to agricultural fair grounds," passed January 31, 1881, (Ohio Laws, vol. 78, page 20), be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed February 23, 1886.

[House Bill No. 107.]

AN ACT

To amend sections 4814, 4815 and 4817 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 4814, 4815 and 4817 (of the Revised Statutes) be so amended as to read as follows:

Unpaid indebtedness of free turnpike road company.

SEC. 4814. When the right of any free turnpike road company to levy special taxes to pay the orders, bonds or other indebtedness issued by it has ceased, leaving outstanding orders, bonds or other indebtedness unpaid, and their payment unprovided for, the commissioners of such road company shall immediately make out and deliver to the auditor of the county in which such road or any part thereof is situated, a complete and perfect list of all such indebtedness for the payment of which they have no funds or means of payment, with a description in detail of such indebtedness as to date, amount, rate of interest, if any, and when payable; which list shall be verified by said commissioners, and the county auditor shall lay the same before the county commissioners at their next regular session thereafter.

Taxation to pay same.

SEC. 4815. At any regular session of the county commissioners, at which such list is laid before them, they shall immediately proceed to ascertain the aggregate amount of such indebtedness, including interest in case it draw interest, and adding thereto an amount sufficient to pay the expense of assessment and collection, and to cause the same to be assessed upon the same lands and lots as were subject to taxation for the construction of the road, or to pay for the same at the time when the right to tax such lands and lots ceased, according to their true value in money as shown by their valuation contained in the county duplicate.

Payment of such indebtedness.

SEC. 4817. Immediately after the annual settlement of the county treasurer with the county auditor of any year next after that in which any assessment has been made, as provided in the two preceding sections, the county auditor shall proceed to ascertain the net amount of money collected on account of the indebtedness of such free turnpike road company, and if the amount so collected is sufficient to pay the whole of such indebtedness, he shall proceed to pay all indebtedness of such road company on presentation by his warrants drawn on the county treasurer, payable out of the proper fund, and shall cancel the evidences of such indebtedness and keep them on file in his office; but if the net amount so collected shall be insufficient to pay the indebtedness in full, or the amount of indebtedness has been ordered to be collected in annual installments, the county auditor shall divide the net amount so collected pro rata among the holders of the indebtedness, taking up and canceling the original evidence of indebtedness and issuing new vouchers for the balance unpaid

SECTION 2. That sections 4814, 4815 and 4817 of the Revised Statutes are hereby repealed.

SECTION 3. This act shall take effect and be in force on and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 23, 1886.

[House Bill No. 20.]

AN ACT

To amend section 2 of an act passed April 29, 1885, (82 v. 163), entitled an act to prevent fraud in canning fruits and vegetables.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2 of the act of April 29, 1885, (82 v. 163), be so amended as to read as follows:

Labeling of "soaked" goods and cans of maple molasses.

SEC. 2. That all soaked goods, or goods put up from products dried before canning, shall be plainly marked by an adhesive label, having on its face the word "soaked," in letters not less than one-half inch high, and three-eighths inch wide, of solid and legible type; and all cans, jugs or other packages, containing maple syrup or molasses, shall be plainly marked by an adhesive label, having on its face the name and address of the person, firm, or corporation who made or prepared the same, together with the name and quality of the goods, in letters of the size provided in this section.

SECTION 2. Section 2 of said act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 23, 1886.

[House Bill No. 67.]

AN ACT

To authorize the election of one additional judge in the first subdivision of the ninth judicial district.

Election of additional judge, first sub-division, ninth district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be elected in the first sub-division of the ninth judicial district of Ohio, composed of the counties of Columbiana, Carroll and Stark, by the electors thereof, under and in pursuance of the general election laws of the State of Ohio, governing the election of judges of the court of common pleas, at the township election, on the first Monday of April, A. D. 1886, one judge of the court of common pleas in addition to the two judges heretofore provided for by law for said subdivision of said ninth judicial district. Said additional judge shall be elected for the term of five years; his term of office shall

begin on the third Monday of April, A. D. 1886, and he shall have all the powers and be subject to all the obligations, and shall perform all the duties pertaining to said office of judge of the common pleas court. He shall receive the same compensation as other common pleas judges, and vacancies, if any occur in his office, shall be filled as now provided by law in such cases, and his successor shall be elected at the next annual general election, which shall be held on the first Tuesday after the first Monday in November, next preceding the expiration of his term of office.

Term, powers, duties and compensation.

SECTION 2. At said election on the first Monday of April, A. D. 1886, for additional judge, a separate ballot shall be voted by each elector, and they shall be deposited in a separate ballot-box by the judges of said election, at each election precinct therein, and separate poll-books and tally-sheets shall be kept for said election of such additional judge. One of each of said poll-books and tally-sheets shall be returned to the clerk of the court of common pleas of the county in which said several precincts are situated, and said clerks of the courts of common pleas in said counties shall make and transmit abstracts as in other cases of the election of judges of the court of common pleas.

Ballots and poll-books of election.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 23, 1886.

[Senate Bill No. 40.]

AN ACT

Amendatory of and supplementary to section 2933 of the Revised Statutes of Ohio, creating a board of elections in cities of the first class and of the first grade of the second class, and defining its duties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2933 of the Revised Statutes of Ohio, as amended March 6, 1883, (80 v. 44), be so amended as to read as follows:

SEC. 2933. Judges of elections for each ward precinct of a municipal corporation, except in cities of the first class and of the first grade of the second class, shall be constituted and chosen as follows:

Judges and clerks of election in municipal ward precincts, except in cities of first class and first grade second class.

First—If the ward is not divided into precincts, the two councilmen of the ward, and the elector who was a member of a political party to which one or both of the councilmen did not belong, who received the highest number of votes for councilman of those voted for and not elected, at the preceding spring election, shall be judges; but if two or more of such electors not chosen received the same number of votes, the clerk of the corporation shall publicly determine by lot which shall be judge of election; judges of election so chosen shall serve as such for one year, and until their

successors are chosen and qualified; and the clerk shall issue to them a certificate of election as in other cases.

Second—In every ward divided into election precincts, except in cities having fifteen thousand or more inhabitants at the preceding census, the two councilmen shall be judges of election in the precincts in which they respectively reside; and additional judges, so that there shall be three judges at each precinct, shall be chosen as provided in section two thousand nine hundred and thirty five.

How constituted and chosen; term, qualifications, etc.

Third—In every ward divided into precincts, in cities having fifteen thousand or more inhabitants at the preceding census, the councilmen shall be judges of election in precinct A thereof; such councilmen shall meet at the mayor's office, on the first Monday of September of each year, at 10 o'clock A. M., and shall there select and appoint two judges of election, of opposite politics, for each of the other precincts of such municipal ward, and the electors of the ward so sub-divided shall select a third man to serve as judge of such precinct upon the organization; the persons so appointed shall be electors and residents for at least sixty days in the ward for which they are appointed; the mayor shall forthwith cause notice to be given to each person so appointed, and shall cause a record to be made and kept in his office of such appointments, and the persons so appointed shall act as judges of election in their proper precincts during the period of one year; they shall take the same oath of office, be subject to the same requirements, penalties, liabilities, and disqualifications, and entitled to the same compensation, as other judges of election; they shall designate and appoint two clerks of election, of opposite politics, who shall take an oath of office, and shall perform all the duties, and be subject to all the liabilities, as other clerks of election; and if any such judges or clerks fail to attend, at the proper time and place, such judges and clerks, and all additional judges and clerks, shall be chosen by the electors of the ward. [94 v. 19, § 6; 75 v. 58, § 12.]

Board for selection of judges and clerks of election in cities of first class and first grade, second class.

Appointment by governor; term removals; vacancies; qualifications.

SECTION 2. The following sections shall be enacted as supplemental to said section 2933, with sectional numbering as follows:

SEC. 2933*a*. All judges and clerks of election in cities of the first class and of the first grade of the second class shall be appointed by a board of four suitable and proper persons, not more than two of whom shall be of the same political party, who shall constitute the board of elections for said cities. Said board shall be appointed by the governor not later than March 1, 1886, and shall hold office as follows: one for one year, one for two years, one for three years, and one for four years. The governor shall have power, at his discretion, to remove any member of said board, and fill all vacancies which may from any cause arise, and annually thereafter shall appoint one member to serve for four years, and the person so appointed shall be of the same political party as the member whose vacancy is to be filled. The members of said board shall be citizens of the United States and of the State of Ohio, and shall have been electors and freeholders of the city for which they are appointed for at least five years, next preceding the date of their appointment. They shall be of good character, and no person holding a public office of any kind under

either the United States, State, county, or municipal government shall be eligible as a member of said board of elections; and all votes cast at any general, municipal, or special election, for any person who, during any portion of the three months previous to such elections, shall have served as a member of said board of elections, for any office, shall be absolutely void. Said board shall appoint, or, in case the members cannot agree, elect by lot one of its members president of said board, and in cities of the first and second grades of the first class each member shall be paid for his services six hundred dollars ($600.00) per year; and in cities of the third and fourth grades of the first class and of the first grade of the second class each member shall be paid for his services the sum of four hundred dollars ($400.00) per year; and said board shall have power to appoint a clerk and remove him from office, and said clerk shall, unless sooner removed from office, serve for four years, and shall receive an annual salary to be fixed by said board, and said board shall have power to secure such room or rooms on a principal street of the city for which they are appointed, as may be necessary for the transaction of its business. The salaries of said board and its clerk, and all necessary expenses incurred by it in the discharge of its duties shall be paid upon the warrant of its president out of the general revenue fund of the city for which it is appointed. The affairs of said board shall be under and subject to such rules, regulations and orders as the board may from time to time adopt, not contrary to law, and it shall keep a complete record of its transactions, which shall be open for the inspection of the public. It shall be the duty of said board to meet annually on the first day of March, or if it be Sunday, then on the second day, and from day to day, except Sunday, until the Wednesday following the first Monday in April, at such office and during such hours as it may prescribe, and proceed to appoint three judges and two clerks for each election precinct of the city for which said board is appointed. Said board shall appoint additional judges and clerks of elections for the various election precincts of said city, to fill any vacancies that may arise. Said board shall also annually meet on the first day of October, or if it be Sunday, then on the second day, and from day to day until the Thursday succeeding the first Monday in November, and shall proceed to revise the list of said judges and clerks of elections, and make such changes as may be necessary, or shall seem to it to be right and proper. Not more than two of the judges, nor more than one of the clerks so appointed in any election precinct shall be of the same political party, and no such judge or clerk shall receive any compensation except he be regularly assigned and on duty during election day. Said board of elections shall give notice for not less than ten days next preceding every municipal or general election, by publication in three daily newspapers of large circulation, published in said city, of the persons appointed to act as said judges and clerks of elections. Said notice shall contain the name, residence and business or occupation of the persons so appointed, and shall designate the ward and precinct in which they shall act as judges and clerks of elections.

President of board; salaries of members; appointment of clerk; expenses.

Clerk's term and salary.

Rules; record of proceedings; annual meetings; appointment of judges and clerks of election.

Revision of lists of judges and clerks; their qualifications; notice of appointments.

Clerk of board; qualifications; oath; duties.

SEC. 2933*b*. The clerk of said board of elections shall be of good character and an elector of the city for which he is appointed; he shall be skilled in penmanship and have a good knowledge of the election laws of the United States and State of Ohio, and be required to pass such examination as said board may prescribe. If after such examination he be approved, he shall take an oath of office administered by the president of said board of elections before entering upon the discharge of his duties; he shall keep a journal of the transactions of said board and procure and furnish all records, blanks, forms, oaths, certificates, instructions and other necessary supplies used by said board in the performance of its duties, and shall have and retain the custody of all books and papers of said board, and he shall be constant in attendance during its sessions.

Qualifications of judges and clerks, their examination; oath; term.

SEC. 2933*c*. The judges and clerks of elections in cities of the first class and of the first grade of the second class, shall be citizens of the United States and State of Ohio, of good character and habits, and be able to read, write and speak the English language understandingly, be qualified voters in the city and precinct for which they are appointed, and not candidates for any office to be voted for by the electors of said city. Each and every person selected and notified by the board of elections as its choice for judge or clerk of elections shall, on receipt of such notice thereof, appear within five days thereafter for the purpose of examination, and if found qualified shall take and subscribe to the oath prescribed by law for judges and clerks of elections before a member of the board of elections or its clerk, who are hereby empowered to administer said oath, and shall, unless excused by said board by reason of ill-health or other good and sufficient cause, be bound to serve as such officer at every election for the term of one year from the date of his appointment, and in case of neglect or refusal to comply with the above requirements, shall be liable to a penalty of one hundred dollars, to be recovered by said board in [a] civil action, in any court of record, in the name of the president of said board and for the use and benefit of the city in which said action shall be brought, or he may be imprisoned for fifteen days, or both fined and imprisoned; and a failure on the part of any such person to present himself for examination or to comply with the requirements of this section preliminary to his receiving his certificate of appointment, within the time prescribed, or to attend on the day of any election during said term, unless prevented by sickness or other sufficient cause, the burden of proof of which shall be upon the delinquent, shall be deemed a refusal within the meaning of this section. Whoever shall be nominated, approved and sworn into office as judge or clerk of elections, shall receive a certificate of appointment from the board of elections; said certificate to be in such form as shall be prescribed by said board, and to specify the precinct and ward of the city in and for which the person to whom the same is issued is appointed to serve, and the date of his appointment and the expiration of his term of office. The duties of said judges and clerks shall be the same as are now required by law, and that govern judges and clerks of elections in other municipalities; and in addition thereto, they shall immediately after the polls are closed publicly announce the number of

Penalty for refusal to serve.

Certificate of appointment.

Duties of judges and clerks.

names on the poll-books, and proceed to examine and count, in the manner now prescribed by law, the ballots found in the box, and they shall not separate until such canvass has been completed; and when the clerks shall have announced to the judges the total number of votes received by each candidate, one of the judges shall immediately proclaim, in a loud voice, the total number of votes received by each of the persons voted for upon the ballots in the box, and the office for which they are designated. The clerks shall then proceed to enter in a printed certificate, prepared for the purpose, the total number of votes received by the various candidates for the offices to be filled at that election, and this statement shall be signed by said judges and clerks, and immediately posted in a conspicuous place in the room in which said election and canvass has been conducted. Any person willfully destroying, defacing, or [in] any way changing said certificate within ten days after said election, shall be deemed guilty of a misdemeanor, and be punished by a fine of fifty dollars, and imprisoned for thirty days. A similar certificate shall be prepared, and signed by said judges and clerks of elections, and sent at once by messenger to the office of the board of elections, and the clerk of said board shall carefully preserve said certificate for sixty days after said election, or longer, if he be notified that said certificate will be required as evidence in any election contest. Judges and clerks of elections appointed in cities of the first class and of the first grade of the second class, shall each be entitled to receive five dollars per day, which compensation shall be paid upon the certificate of the president of the board of elections out of the general revenue fund of the city for which they are appointed; but no payment shall be made to any person as a judge or clerk of elections who shall not, during the period of his service, have fully complied with all the requirements of law in any wise relating to his duties, and any person who shall act in either of said capacities without having taken, subscribed and filed the oath of office prescribed by law, or without having received a certificate of appointment from the board of elections shall be guilty of a misdemeanor, and shall be punished by imprisonment for thirty days. Judges and clerks of elections in said cities, during the time they shall hold office, shall be exempt from the performance of military and jury duty.

Proclamation and certificate of vote; penalty for defacing certificates.

Compensation of judges and clerks.

Penalty for acting as judges or clerk without complying with law.

Exemption from military and jury duty.

SECTION 3. That section 2933 as amended March 6, 1883, (80 v. 44), and all sections or parts of sections of the Revised Statutes of Ohio relating to the appointment and duties of judges and clerks of elections, in and so far as they are inconsistent with the provisions of this act, are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed February 23, 1886.

[House Bill No. 250.]

AN ACT

Making appropriations to meet deficiencies for the legislature.

Deficiency appropriation for General Assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the following sums, to-wit:

Salaries and mileage of the General Assembly, per diem of clerks, sergeants-at-arms, and employes, seven thousand, nine hundred and twenty-one dollars and fifty cents, ($7,921.50). Contingent fund of the house, three hundred dollars, ($300). Contingent fund of the senate, three hundred dollars, ($300).

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed February 24, 1886.

[House Bill No. 134.]

AN ACT

Supplemental to section 2904 of the Revised Statutes of the State of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section shall be supplemental to section 2904 of the Revised Statutes of Ohio, and shall be numbered as follows:

Publication of notice of list and sale of forfeited lands.

SEC. 2904*a*. In all cases where any county auditor, by inadvertance or mistake, has omitted to cause the list of forfeited lands of his county, together with notice of the sale thereof, to be published according to the requirements of law, it shall be his duty, and he is hereby required, in case the taxes and penalty with which the lands and town lots stand charged upon said list shall not have been paid before the first day of March of the next succeeding year, to forthwith, after said first day of March, cause said list, together with notice of the sale thereof, to be published in all respects as required in said original section 2904, saving and excepting that such notice shall specify that said sale will begin on the second Monday in April next, instead of upon the second Monday of December.

SECTION 2. This act shall be in effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed February 23, 1886.

[House Bill No. 130.]

AN ACT

Making partial appropriations for the last three quarters of the fiscal year ending November 15, 1886, and the first quarter of the fiscal year ending February 15, 1887.

Partial appropriations for Departments and State institutions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby are appropriated out of any moneys in the general revenue fund, not otherwise appropriated, the following sums, for the purposes hereinafter specified, to wit:

Adjutant-General's Department:

Salary of adjutant-general, five hundred dollars ($500).

Salary of assistant adjutant-general, three hundred and seventy-five dollars ($375).

Salary of chief clerk, three hundred and fifty dollars ($350).

Salary of assistant clerk, one hundred and fifty dollars ($150).

Salary of four transcribing clerks, twelve hundred dollars ($1,200).

Salary of superintendent of State arsenal, three hundred dollars ($300).

Contingent expenses and inspection of Ohio national guards, three hundred and seventy-five dollars ($375).

For making copy of soldiers' roster for publication, two thousand five hundred dollars ($2,500).

State House and Grounds:

Salary of superintendent of laborers, two hundred and twenty-five dollars ($225).

Salary of engineer, two hundred and fifty dollars ($250).

Salary of two firemen, six months, four hundred and fifty dollars ($450).

Salary of janitor of flag-room, one hundred and eighty dollars ($180).

Salary of visitors' attendant, one hundred and eighty dollars ($180).

Salary of day policeman, one hundred and eighty dollars ($180).

Salary of night policeman, two hundred dollars ($200).

Salary of four regular laborers, six hundred and twenty-five dollars ($625).

For extra labor, five hundred dollars ($500).

Materials and repairs, five hundred dollars ($500).

Fuel for State House,, four hundred and fifty dollars ($450).

Care and repairs of heating apparatus, three hundred dollars ($300).

Agriculture:

Contingent expenses of board, one hundred and fifty dollars ($150).

Encouragement of agriculture, fifteen hundred dollars ($1,500).

Agricultural Experiment Station:

Expenses of, one thousand dollars ($1,000).

Attorney-General:

Salary of attorney-general, three hundred and seventy-five dollars ($375).
Salary of clerk, two hundred and fifty dollars ($250).
Contingent expenses, one hundred dollars ($100).
Fees on collections, one hundred and twenty-five dollars ($125).
For type-writer, one hundred dollars ($100).

Auditor of State:

Salary of auditor, seven hundred and fifty dollars ($750).
Salary of chief clerk, five hundred dollars ($500).
Salary of book-keeper, four hundred dollars ($400).
Salary of railroad and bank clerk, three hundred and seventy-five dollars ($375).
Salary of land clerk, three hundred and seventy-five dollars ($375).
Salary of canal and trust fund clerk, three hundred and fifty dollars ($350).
Salary of statistical clerk, three hundred dollars ($300).
Contingent expenses, three hundred and seventy-five dollars ($375).

Board of State Charities:

Expenses of the board, eight hundred dollars ($800).

Board of Public Works:

Salaries of members, five hundred dollars ($500).
Salaries of engineers, seven hundred dollars ($700).

Commissioner of Statistics of Labor:

Salary of commissioner, five hundred dollars ($500).
For contingent expenses and clerk hire, five hundred dollars ($500).

Commissioner of Railroads and Telegraphs:

Salary of commissioner, five hundred dollars ($500).
Salary of chief clerk, three hundred dollars ($300).
Salary of assistant clerk, two hundred dollars ($200).
Contingent expenses, one hundred dollars ($100).

Commissioner of Common Schools:

Salary of commissioner, five hundred dollars ($500).
Salary of first clerk, four hundred and thirty-seven dollars and fifty cents ($437.50).
Salary of second clerk, three hundred dollars ($300).
Contingent expenses, one hundred and twenty dollars ($120).
Traveling expenses, one hundred and fifty dollars ($150).

Executive Department:

Salary of governor, one thousand dollars ($1,000).
Salary of private secretary, two hundred dollars ($200).
Salary of executive clerk, three hundred and seventy-five dollars ($375).
Contingent expenses, seven hundred dollars ($700).
Salary of lieutenant-governor, two hundred dollars ($200).

Superintendent of Insurance:

Salary of superintendent, five hundred dollars ($500).
Salary of chief clerk, three hundred and seventy-five dollars ($375).
Salary of examining clerk, three hundred and seventy-five dollars ($375).
Salary of book-keeper, three hundred dollars ($300).
Salary of corresponding clerk, two hundred and fifty dollars ($250).
Salary of mailing clerk, two hundred dollars ($200).
For extra clerks, nine hundred dollars ($900).
Contingent expenses, two hundred and fifty dollars ($250.)

Judiciary:

Salaries of supreme, circuit, superior and common pleas judges, seventy-one thousand dollars ($71,000).

Inspector of Mines:

Salary of chief inspector, five hundred dollars ($500).
Salary of district inspectors, nine hundred dollars ($900).
Contingent expenses of mine inspectors, five hundred dollars ($500).

Inspector of Shops and Factories:

Salary of chief inspector, three hundred and seventy-five dollars ($375).
Salary of district inspectors, seven hundred and forty-nine dollars and ninety-seven cents ($749.97).
Contingent expenses, one hundred and fifty dollars ($150).
Traveling expenses of chief inspector, two hundred dollars ($200).
Traveling expenses of district inspectors, four hundred dollars ($400).

Legislature:

Salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms, and employes, twenty-seven thousand five hundred dollars ($27,500).

Law Library:

Salary of law librarian, three hundred and seventy-five dollars ($375).
Salary of assistant librarian, two hundred and fifty dollars ($250).
Books for law library, two hundred dollars ($200).
Telephone, fifteen dollars ($15).

Ohio State University:

Ordinary repairs, five hundred dollars ($500).
Expenses of board of trustees, one hundred and twenty-five dollars ($125).

Ohio Penitentiary:

Salaries of managers, one thousand two hundred and fifty dollars ($1,250).

Salaries of officers, five thousand four hundred and ninety-five dollars ($5,495).

Salaries of guards, nineteen thousand five hundred dollars ($19,500).

Current expenses, thirty-eight thousand five hundred dollars ($38,500).

Manufacture of gas, four thousand dollars ($4,000).

Library, one hundred and twenty-five dollars ($125).

Rewards to convicts, one thousand two hundred and fifty dollars ($1,250).

Ordinary repairs, one thousand two hundred and fifty dollars ($1,250).

Expenses attending executions, one hundred and fifty dollars ($150).

Moral and religious instruction, two hundred dollars ($200).

Prosecution and transportation of convicts, twenty thousand dollars ($20,000).

Secretary of State:

Salary of secretary of state, five hundred dollars ($500).

Salary of chief clerk, five hundred dollars ($500).

Salary of statistical clerk, three hundred and seventy-five dollars ($375).

Salary of stationery clerk, three hundred and thirty-seven dollars and fifty cents ($337.50).

Salary of corporation clerk, three hundred and thirty-seven dollars and fifty cents ($337.50).

Salary of recording clerk, three hundred and thirty-seven dollars and fifty cents ($337.50).

Salary of superintendent of book room, two hundred dollars ($200).

Contingent expenses, three hundred dollars ($300).

Distribution of books, six hundred dollars ($600).

Printing paper, seven thousand five hundred dollars ($7,500).

Stationery, five thousand dollars ($5,000).

State Library:

Books, magazines and papers, two hundred and fifty dollars ($250).

Salary of state librarian, three hundred and seventy-five dollars ($375).

Salary of assistant librarian, three hundred dollars ($300).

Contingent expenses, one hundred and eighty-six dollars ($186).

Supervisor of Public Printing:

State printing, five thousand dollars ($5,000).

State binding, three thousand dollars ($3,000).

Salary of supervisor, four hundred and fifty dollars ($450).

Contingent expenses, fifty dollars ($50).

Supreme Court:

Contingent expenses, fifty dollars ($50).
Janitor supreme court, one hundred and fifty dollars ($150).

Clerk of Supreme Court:

Salary of deputy clerk, three hundred dollars ($300).
Contingent expenses, one hundred dollars ($100).

Reporter of Supreme Court:

Salary of reporter, two hundred and fifty dollars ($250).

Treasurer of State:

Salary of treasurer, seven hundred and fifty dollars ($750).
Salary of cashier, five hundred dollars ($500).
Salary of two book-keepers, six hundred and seventy-five dollars ($675).
Salary of janitor and messenger, one hundred and fifty dollars ($150).
Salary of two night watchmen, four hundred dollars ($400).
Contingent expenses, one hundred dollars ($100).
Collecting auditor state's drafts, seven hundred dollars ($700).
Alarm telegraph and telephone, twenty dollars ($20).

Athens Asylum for Insane:

Current expenses, twenty-five thousand dollars ($25,000).
Salaries of officers, one thousand two hundred and seventy-five dollars ($1,275).
For constructing corridor to connect dining-room buildings with wards, five thousand and five hundred dollars ($5,500).

Cleveland Asylum for Insane:

Current expenses, twenty-five thousand dollars ($25,000).
Salaries of officers, one thousand two hundred and seventy-five dollars and eighteen cents ($1,275.18).
Ordinary repairs, one thousand dollars ($1000).

Columbus Asylum for the Insane:

Current expenses, thirty-five thousand dollars ($35,000).
Salaries of officers, one thousand six hundred and twenty-five dollars ($1,625).
Ordinary repairs, one thousand five hundred dollars ($1,500).
Expenses of trustees, fifty dollars ($50).

Dayton Asylum for the Insane:

Current expenses, twenty-thousand dollars ($20,000).
Expenses of trustees, fifty dollars ($50).
Salaries of officers, one thousand dollars ($1,000).
Ordinary repairs, one thousand two hundred dollars ($1,200).

Toledo Asylum for the Insane:

Expenses of trustees, five hundred dollars ($500).

Boys' Industrial School:

Current expenses, five thousand dollars ($5,000).
Salaries, five thousand dollars ($5,000).
Expenses of trustees, one hundred and seventy-five dollars ($175).
Ordinary repairs, six hundred and twenty-five dollars ($625.)
Books for boys' library, fifty dollars ($50).
Rewards, one hundred and twenty-five dollars ($125).

Girls' Industrial Home:

Current expenses, five thousand dollars ($5,000).
Salaries of officers and teachers, three thousand five hundred dollars ($3,500).
Expenses of trustees, one hundred and fifty dollars ($150).
Repairs, five hundred dollars ($500).
Expenses of ladies' visiting committee, fifty dollars ($50.)

Institution for the Blind:

Current expenses, eight thousand dollars ($8,000).
Salaries of officers and teachers, three thousand dollars ($3,000).
Ordinary repairs, four hundred dollars ($400).
Books and school apparatus, three hundred and seventy-five dollars ($375).
Expenses of trustees, one hundred and seventy-five dollars and three cents ($175.03.)
Steam pipe and heating apparatus, two hundred dollars ($200).

Institution for the Deaf and Dumb:

Current expenses, twelve thousand dollars ($12,000).
Salaries of officers and teachers, five thousand dollars ($5,000).
Expenses of trustees, one hundred dollars ($100).
Ordinary repairs, one thousand dollars ($1,000).
Lumber for flooring girls' play-room and boys' dormitory and halls, one thousand dollars ($1,000).
Salary of foreman of printing office, one hundred dollars ($100).
Salary of foreman carpenter shop, one hundred dollars ($100).
Salary of foreman shoe shop, one hundred and fifty dollars ($150).

Institution for Feeble-minded Youth:

Current expenses, twenty-five thousand dollars ($25,000).
Salaries of officers, three thousand and five hundred dollars ($3,500).
Ordinary repairs, one thousand dollars ($1,000).
Expenses of trustees, one hundred and seventy-five dollars ($175).

Ohio Soldiers' and Sailors' Orphans' Home:

Current expenses, twenty thousand dollars ($20,000).
Salaries of officers, teachers and matrons, four thousand two hundred and fifty dollars ($4,250).
Expenses of trustees, seventy-five dollars ($75).
Industrial pursuits, eight hundred dollars ($800).
Ordinary repairs, five hundred dollars ($500).
Net earnings, three hundred dollars ($300).
Support of orphans outside, four thousand dollars ($4000).

Longview Asylum:

Current expenses, twenty thousand dollars ($20,000).
All appropriations for this asylum to be paid out in equal monthly installments.

Northwestern Ohio Hospital for the Insane:

Support of inmates under contract, four thousand nine hundred and eighty-six dollars and sixteen cents ($4,986.16).

Toledo House of Refuge and Correction:

Care of boys under contract, thirty-five hundred dollars ($3,500).

Miscellaneous:

Live stock commission, five hundred dollars ($500).
Fish commissioners, fifteen hundred dollars ($1,500).
Prosecuting war claims of Ohio vs. general government, three hundred and seventy-five dollars ($375).

SECTION 2. The moneys appropriated in the last preceding section shall not be in any way expended to pay liabilities or deficiencies existing prior to February 15, 1886, nor shall they be used or paid out for purposes other than those for which said sums are specifically appropriated as aforesaid.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 25, 1886.

[House Bill No. 36.]

AN ACT

To amend section 6842 of the Revised Statutes of Ohio, as amended April 17, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6842 of the Revised Statutes of Ohio, as amended April 17, 1885, 82 v. 140, be amended so as to read as follows:

Embezzlement; fraudulent conversion.

Sec. 6842. An officer, attorney-at-law, agent, clerk, guardian,

executor, administrator, trustee, assignee in insolvency, servant, or employe of any person, except apprentices and persons under the age of eighteen years, who embezzles or converts to his own use, or fraudulently takes or makes away with, or secretes with intent to embezzle or convert to his own use, anything of value which shall come into his possession by virtue of his employment or appointment as such officer, attorney-at-law, agent, clerk, guardian, executor, administrator, trustee, assignee in insolvency, servant or employe; and an officer elected or appointed to an office of public trust or profit in this state, and an agent, clerk, servant or employe of such officer or of a board of such officers, who embezzles or converts to his own use or conceals with such intent anything of value that shall come into his possession by virtue of [his] office or employment, is guilty of embezzlement, and shall be punished as for the larceny of the thing embezzled.

Penalty.

SECTION 2. Said original section 6842, as amended April 17, 1885, is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 25, 1886.

[House Bill No. 57.]

AN ACT

To amend section 2609 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section number 2609 of the Revised Statutes of Ohio be amended so as to read as follows:

Application for vacating or altering plat; notice.

Sec. 2609. All applications for vacating or altering any plat, addition, or part thereof, shall be by petition in writing, filed with the clerk of the court of common pleas, and the applicant or applicants shall give thirty days' notice thereof, by publication in some newspaper printed in the county and of general circulation therein; which notice shall set forth briefly the part or parts of the plat or addition to be vacated.

SECTION 2. That said original section 2609 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 25, 1886.

[House Bill No. 72.]

AN ACT

To amend an act entitled an act relating to the posting of court calendars and legal notices in certain counties, passed April 14, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled an act relating to the posting of court calendars and legal notices in certain counties, passed April 14, 1884, be so amended as to read as follows:

SEC. 1. That in all counties in this State, containing a city of the first or second grade of the first class, the judges of the courts of record in such counties other than the circuit court, shall jointly designate a daily law journal, published in said county, wherein shall be published all calendars of the courts of record in said county, which calendars shall contain the numbers and titles of causes and names of attorneys appearing therein, together with the motion dockets, and also such particulars and notices respecting causes, as may be specified by said judges, and every notice required to be published by any of said judges. And in all cases, proceedings, administration of estates, assignments and matters pending in any of the courts of record in said county, wherein legal notices or advertisements are required to be published by law, the law journal, designated as above, shall once a week and on the same day of the week, publish an abstract of every such legal advertisement; provided, however, that the jurisdiction over, or regularity of any proceeding, trial or judgment, shall in nowise be affected by anything herein.

Publication of court calendars and legal notices in law journals.

SEC. 2. The publisher of said paper shall receive for the publication of said calendars, motion dockets and notices, the fees for which are not already fixed by law, a sum to be fixed by said judges, not exceeding thirty-five cents for each case brought, the same to be paid by the party filing the petition, or transcripts for appeal or lien, and to be taxed in the costs and collected as other costs are; and for the publishing of abstracts of legal advertising, a sum to be fixed by said judges, not exceeding one dollar for each case, proceeding or matter, in which such advertising is had, to be taxed and collected as a part of the costs thereof.

Fees for publication.

SECTION 2. That said original act be and the same hereby is repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed February 25, 1886.

[House Bill No. 132.]

AN ACT

To amend section 6459 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6459 of the Revised Statutes of Ohio be amended so as to read as follows:

Criminal practice in probate court.

SEC 6459. In all cases in which said probate court shall have criminal jurisdiction when the defendant is brought before said court, and after the defendant has had a reasonable time to examine the charge so preferred against him, the charge shall then be distinctly read to him and he shall be required to plead thereto.

SECTION 2. That section 6459 is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 25, 1886.

[House Bill No. 27.]

AN ACT

To repeal sections 5183 and 5184 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections numbered fifty-one hundred and eighty-three and fifty-one hundred and eighty-four [of the Revised Statutes] be and the same are hereby repealed.

Repealing sections R.S. relating to jury fees.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 2, 1886.

[Senate Bill No. 33.]

AN ACT

To change the time for holding the second term of the court of common pleas in the county of Lucas, for the year 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time for holding the second term of the court of common pleas, in and for the county of Lucas, for the year 1886, as fixed by the judges of the fourth judicial district, be and the same is hereby changed, and that said term shall be held on the seventh day of June, 1886, instead of the sixth day of April, 1886, as fixed by said judges.

Changing time of Lucas common pleas court.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 2, 1886.

[Senate Bill No. 72.]

AN ACT

Making appropriations to pay expense of investigating committees and contingent expense of the senate.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the following sums, to-wit:

Appropriations for investigating committees and Senate.

For expense of investigating committees, five thousand ($5,000) dollars.

For contingent expense of the senate, four hundred ($400) dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 3, 1886.

[House Bill No. 110.]

AN ACT

To amend section 6984*a* as enacted April 14, 1884 (v. 81, p. 181.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6984*a* of an act passed April 14, 1884, entitled "an act to amend sections 3718, 3722, 3725, 6985, and 7118 of the Revised Statutes of Ohio, and to enact certain supplementary sections," be amended so as to read as follows:

SEC. 6984*a*. Whoever tortures, torments, cruelly or unlawfully punishes, or willfully, unlawfully and negligently deprives of necessary food, clothing or shelter, any person, and whoever having the control of, or being the parent or guardian of any child or children under the age of sixteen years, willfully abandons such child or children, or tortures, torments, cruelly or unlawfully punishes, or willfully, unlawfully and negligently deprives of necessary food, clothing or shelter, such child or children, shall be fined not more than two hundred dollars, nor less than ten dollars, or imprisoned for not more than six months, or both.

Penalty for torturing or neglecting children.

SECTION 2. That said original section 6984*a* be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 5, 1886.

[House Bill No. 80.]

AN ACT

To amend sections 1448 and 1452 of the Revised Statutes, so as to fix the term of township trustees at three years.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1448 and 1452 of the Revised Statutes, be so amended as to read as follows:

Election of township officers.

SEC. 1448. After the judges and clerks have been qualified as aforesaid, the electors shall proceed to the election of one township clerk, one trustee, one township treasurer and such number of constables and supervisors of roads, as may be directed by the trustees, and one assessor for the township, or if the township is divided into two or more election precincts, then for each precinct in which such election is held, and the judges and clerks in discharging their duties in said election, shall be governed in all respects by the law regulating elections, but it shall not be necessary to send a poll-book to the clerk of [the] court of common pleas of the proper county; and in case any two or more persons have the highest and an equal number of votes for any one of the township offices directed to be filled, the clerk and judges of the election shall determine by lot which of the persons is duly elected, and the officers so elected shall hold their office for one year, with the exception of the trustee, who shall hold the office for three years; provided that at the first annual election of township officers after the passage of this act and at the first annual election of any new township there shall be elected three trustees, the one receiving the highest number of votes to serve [for] three years; the one receiving the next highest to serve for two years, and the one receiving the next highest to serve for one year. Should any two or more of those elected receive the same number of votes, they at the first meeting of the board after their election shall determine by lot the term for which each of those receiving an equal number of votes shall respectively hold the office.

Term of trustees.

Filling of vacancy in office of trustee.

SEC. 1452. When a township for any cause is without a board of trustees or there is a vacancy in the board of trustees of a township, the justice of the peace of such township holding the oldest commission, or in case the commissions of two or more of such justices bear even date, then the justice oldest in years, shall appoint a suitable person or persons, having the qualifications of electors in such township to fill the vacancy or vacancies until a successor is elected and qualified, and such successor shall be chosen for the unexpired term at the first annual township election that occurs more than ten days after the vacancy shall have happened, and the justice of the peace shall make out a certificate in writing of such appointment or appointments, and file the same with the clerk of the township in which said vacancy occurred, who shall record the same.

SECTION 2. That sections 1448 and 1452 of the Revised Statutes are repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 8, 1886.

[House Bill No. 1.]

AN ACT

To amend sections 608 and 1209 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 608 and 1209 of the Revised Statutes of Ohio be so amended as to read as follows:

SEC. 608. It shall be lawful for a justice of the peace, upon the written application of three freeholders of the township in which such justice shall reside, to appoint one or more special constables who shall be electors of said township, whose duty it shall be to guard the property of said freeholders, designated (in general terms) in such application, and protect the same from all unlawful acts; and the constable so appointed shall have the same authority, and be subject to the same obligations as constables mentioned in sections 603, 604 and 7129 of the Revised Statutes. Appointment of special constables.

SEC. 1209. The sheriff may, in writing, appoint one or more deputies, and if such appointment shall be approved by any judge of the court of common pleas of the sub-division in which the county of such sheriff shall be, such approval shall, at the time it is made, be indorsed, on said writing by the judge making the same, and such writing and indorsement shall thereupon be filed by the sheriff with the clerk of his county, who shall duly enter the same upon the journal of said court, and the clerk's fees therefor shall be paid by the sheriff. Every deputy so appointed shall be a duly qualified elector of such county, but no justice of the peace or mayor shall be appointed. Appointment of deputy sheriffs.

SECTION 2. That said sections 608 and 1209 be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 10, 1886.

[House Bill No. 162.]

AN ACT

To amend section 860 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 860 of the Revised Statutes be amended so as to read as follows:

SEC. 860. The commissioners shall construct and keep in repair all necessary bridges over streams and public canals on all State and county roads, free turnpikes, improved roads, abandoned turnpikes, and plank roads, in common public use, except only such bridges as are wholly in such cities and villages, as by law Commissioners shall construct and repair bridges, except, etc.

have the right to demand and do receive part of the bridge fund levied upon property within the same.

SECTION 2. That original section 860 be and the same is hereby repealed.

SECTION 4. That this act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 10, 1886.

[House Bill No. 126.]

AN ACT

To amend section 3490 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3490 of the Revised Statutes be amended to read as follows:

Penalty for obstructing travel on roads.

SEC. 3490. All persons driving carriages or vehicles of any description or riding on horseback on any turnpike or plank road, or upon any public highway of this State, shall, on meeting carriages or vehicles of any description or persons riding on horseback, keep to the right, so as to leave half of the road free; and if any person neglect or refuse to comply with the provision[s] of this section, or in any other manner hinder or obstruct any person in the free passage of any such road or highway, he shall, on conviction thereof before any justice of the peace or other court having jurisdiction, for every such offense be fined in any sum not less than one dollar nor more than twenty dollars, for the use of [the] common schools of such county, and the person so offending shall moreover be held liable to the person so aggrieved for any damages he may sustain.

SECTION 2. That said original section number 3490 of the Revised Statutes be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 12, 1886.

[House Bill No. 186.]

AN ACT

To amend section 4443 of the Revised Statutes, as amended February 5, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4443 of the Revised Statutes of the State of Ohio, as amended February 5, 1885 (82 v. 52), be so amended as to read as follows:

SEC. 4443. A bushel of the respective articles hereinafter mentioned shall mean the amount of weight, avoirdupois, in this section specified, viz.: Standard weight of bushel.

Of wheat, sixty pounds;
Of rye, fifty-six pound;
Of oats, thirty-two pounds;
Of clover-seed, sixty pounds;
Of timothy-seed, forty-five pounds;
Of hemp-seed, forty-four pounds;
Of millet-seed, fifty pounds;
Of buckwheat, fifty pounds;
Of beans, sixty pounds;
Of peas, sixty pounds;
Of hominy, sixty pounds;
Of Irish potatoes, sixty pounds;
Of sweet potatoes, fifty pounds;
Of onions, fifty pounds;
Of dried peaches, thirty-three pounds;
Of dried apples, twenty-two pounds;
Of flax-seed, fifty-six pounds;
Of barley, forty-eight pounds;
Of malt, thirty-four pounds;
Of Hungarian grass-seed, fifty pounds;
Of lime, seventy pounds;
Of coke, forty pounds;
Of bituminous coal, eighty pounds;
Of cannel coal, seventy pounds;
Of corn, shelled, fifty-six pounds;
Of corn in the ear, sixty-eight pounds;
Of tomatoes, fifty-six pounds;
Of apples, forty-eight pounds;
Of peaches, forty-eight pounds;
Of turnips, sixty pounds.

SECTION 2. That section 4443 of the Revised Statutes of Ohio, as amended February 5, 1885 (82 v. O. L., 52), be and the same is hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 12, 1886.

[Senate Bill No. 76.]

AN ACT

To amend section 3899 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3899 of the Revised Statutes of Ohio be so amended as to read as follows:

Cleveland board of education.

SEC. 3899. In city districts of the first class, second grade, the board of education shall consist of twenty members, to be elected by districts, to serve for the term of two years, except as hereinafter provided; and for the purpose of electing such board of education such cities shall be and are hereby divided into twenty districts, as follows:

City divided into districts.

The second and fourth wards shall constitute the first district.

The fifth and eighth wards shall constitute the second district.

The sixth and seventh wards shall constitute the third district.

The ninth and eighteenth wards shall constitute the fourth district.

The nineteenth and twenty-first wards shall constitute the fifth district.

The twentieth and twenty-second wards shall constitute the sixth district.

The twenty-third and twenty-sixth wards shall constitute the seventh district.

The twenty-fifth and twenty-seventh wards shall constitute the eighth district.

The seventeenth and twenty-fourth wards shall constitute the ninth district.

The thirteenth and fifteenth wards shall constitute the tenth district.

The twelfth and fourteenth wards shall constitute the eleventh district.

The tenth and eleventh wards shall constitute the twelfth district.

The first and sixteenth wards shall constitute the thirteenth district.

The third and twenty-eighth wards shall constitute the fourteenth district.

The twenty-ninth and thirtieth wards shall constitute the fifteenth district.

The thirty-first and thirty-third wards shall constitute the sixteenth district.

The thirty-fourth and thirty-fifth wards shall constitute the seventeenth district.

The thirty-second and thirty-sixth wards shall constitute the eighteenth district.

The thirty-ninth and fortieth wards shall constitute the nineteenth district.

The thirty-seventh and thirty-eighth wards shall constitute the twentieth district.

Election and term of members.

And in said cities of the second grade, first class, there shall be elected at the first annual municipal election to be held after the passage of this act, in each district designated by an even number, by the qualified electors thereof, for the term of three years,

and thereafter biennially, and in each district designated by an odd number, by the qualified electors thereof, for the term of two years, and thereafter biennially, one member of the board, who shall hold his office until the election and qualification of his successor.

SECTION 2. That said section 3899, and all other sections inconsistent herewith, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No. 279.]

AN ACT

To amend the supplementary section 1707*a* of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That supplementary section 1707*a* be amended so as to read as follows:

Officers of city of Hamilton.

SEC. 1707*a*. The officers of cities of the second class and third grade, having a population, at the last federal census, of twelve thousand one hundred and thirty-two, and when said cities already have an organized police, shall consist of a mayor, a city commissioner, who shall be superintendent of streets and highways, and a treasurer, except as otherwise provided for by law; all of which officers shall be chosen by the electors of said cities; and a solicitor, who shall be chosen by the electors of such cities, and a clerk, who shall be chosen by the council of such cities, a chief of police, who shall be appointed by the mayor, subject to the approval and confirmation of the council of such cities, whose term of office shall be for one year, and shall commence on or before the first Tuesday of April; and the council may, when in its opinion it deems it expedient, create, by ordinance, the office of auditor, sealer of weights and measures, fire engineer, civil engineer, superintendent of markets, and provide for their election or appointment and compensation; provided, that all duties heretofore imposed upon the marshal by law or ordinance, shall devolve upon and be performed by said chief of police, who shall be subject to the provisions contained in section 2008 of the Revised Statutes, and whose salary or compensation shall be fixed by the council.

SECTION 2. Said supplementary section 1707*a* be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No. 235.]

AN ACT

To amend section 664 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 664 of the Revised Statutes of Ohio be amended so as to read as follows:

Compensation to employes o deaf and dumb asyum.

SEC. 664. Compensation to employes may be paid as follows: To the male teachers of the academic department, not exceeding twelve hundred dollars each per annum; the male teachers of the grammar department, not exceeding ten hundred and fifty dollars each per annum; the female teachers of the grammar department, not exceeding seven hundred dollars each per annum; the male teachers of the primary department, not exceeding nine hundred dollars each per annum; the female teachers of the primary department, not exceeding six hundred dollars each per annum; the master of the shoe shop, not exceeding seven hundred dollars per annum; the engineer, not exceeding one thousand dollars per annum. None of said employes shall reside at or be boarded in the institution.

SECTION 2. The said original section 664 is hereby repealed; and this act shall take effect from and after September 1, 1886.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No. 196.]

AN ACT

To amend section 2329 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2329 of the Revised Statutes, as amended March 27, 1884, (81 v. 88), be amended [so] as to read as follows:

Notice of mprovement of sidewalk.

SEC. 2329. When the council, board of improvements, or board of public works, as the case may be, declares by resolution that certain specified sidewalks shall be constructed or repaired, the mayor, or board of public works, where there is such a board, upon being advised thereof, shall cause written notice to be given to the owner, or agent of the owners of the property abutting upon such sidewalks, who may be residents of the city or village at the time of the passage of such resolution; and if it appear in the return made by the mayor, board of public works, or otherwise, that such person or persons are non-residents or can not be found, notice thereof shall be given by publication in some news-

paper of general circulation in such city or village, for two consecutive weeks.

SECTION 2. That section 2329, as amended March 27, 1884, is hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No. 79.]

AN ACT

To amend section 4084 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4084 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 4084. The provisions of this chapter relating to boards of examiners for city districts of the first class, shall be applicable to such boards for city districts of the second class and village districts having an enumeration of not less than seven hundred youth of school age; except that such boards shall consist of three members, and may grant certificates for one, two, or three years only, and except also that the examination fees shall be disposed of, and statements filed with the county auditor, as provided in section 4072, in all such districts not covered by the provisions of section 4093.

City and village school examiners.

SECTION 2. Said original section 4084 is hereby repealed; this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No. 22.]

AN ACT

To amend sections 2978 and 2979 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2978 as amended February 7, 1885, (82 v. 16), and 2979 of the Revised Statutes of Ohio are so amended as to read as follows:

SEC. 2978. All general elections for governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, attorney-general, state commissioner of common schools, member of the board of public works, judge of the supreme court, clerk of the supreme court, judge of the circuit court, judge of the

Time of State and county elections.

common pleas court, senators and representatives to the general assembly, judge of the probate court, clerk of the common pleas court, sheriff, county auditor, county commissioner, county treasurer, county recorder, county surveyor, prosecuting attorney, infirmary director, and coroner, shall be held on the first Tuesday after the first Monday in November. All votes for any judge for any elective office, except a judicial office, under the authority of this state, given by the general assembly or the people, shall be void.

Of congressional elections.

SEC. 2979. The electors of each congressional district in this state shall, biennially, on the first Tuesday after the first Monday in November, vote for a representative in the congress of the United States for the term commencing on the fourth day of March next thereafter.

SECTION 2. That sections 2978 as amended February 7, 1885, (82 v. 16), and 2979 of the Revised Statutes of Ohio are repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

JNO. O'NEILL,
President pro tem. of the Senate.

Passed March 24, 1886.

[House Bill No. 99.]

AN ACT

To amend section 719 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 719 of the Revised Statutes of Ohio be so amended as to read as follows:

Costs and fees in inquests of insanity.

SEC. 719. The taxable costs and expenses to be paid under the provisions of this chapter shall be as follows: To the probate judge with whom the affidavit is filed, the sum of two dollars for holding an inquest; for each warrant, certificate, or subpœna, he necessarily issues, the same fees as are allowed by law to the clerk of the court of common pleas for similar services; and the amount of postage on all communications to and from the superintendent which the judge is required to pay; to the medical witness who makes out the certificate, two dollars, and witness fees, such as are allowed by law in other cases; to the witnesses and constables, the same fees as are allowed by law for like services in other cases; to each person employed by the probate judge to commit a lunatic to the county infirmary, seventy-five cents per day; to the jailer for keeping an idiot or insane person, thirty-five cents per day; to the sheriff or other person than an assistant, for taking an insane person to the asylum, or removing one therefrom upon the warrant of the probate judge, mileage at the rate of ten cents per mile, going and returning, and seventy-five cents per day for the support of each patient, on his journey to or from the asylum, and to each assistant five cents per mile, and nothing more; the number of miles to be computed in all cases by the nearest route

traveled; the costs specified in this section shall be paid out of the county treasury, upon the certificate of the probate judge.

SECTION 2. Said original section 719 is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed March 24, 1886.

[House Bill No. 230.]

AN ACT

To amend section 3 of an act entitled an act to provide for the relief of disabled firemen in cities of the second grade of the first class, as amended April 16, 1881, and March 29, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3 of the above amended act, amended March 29, 1883, be amended so as to read as follows:

Beneficiaries of firemen's relief fund.

SEC. 3. If any member of the fire department of such city shall, while in the actual performance of his duty as such member, become permanently disabled, so as to render necessary his retirement from the department, such board shall authorize the payment to such disabled member, monthly, the sum of forty dollars Or if any member of the department shall, while in the actual performance of his duty as such member, be killed or die from the effects of injuries received while so performing said duty, or if any member of said department in good standing, after ten years of consecutive service therein, die from any cause, and such member, so killed or dying either from said injuries or after said service, shall leave a widow, minor child, or children under sixteen years of age, or a widowed mother who depended on him for support, said board shall authorize the payment of the following sums, monthly, to wit: To such widow while unmarried, fifteen dollars; to the guardian of such child or children, five dollars for each of said children, and twenty dollars to such widowed mother while she remains unmarried; provided, however, that if at any time there should not be sufficient money to the credit of the said fund to pay to each person entitled to the benefit thereof the full amount per month as above, then, and in that event, an equal percentage of said monthly payments shall be paid each beneficiary until said fund is so replenished as to warrant payment to each of said beneficiaries in full. And it is further provided, that no person shall be considered a member of the fire department within the meaning of this act, or entitled to its benefits, except the fire marshal, or chief of fire department, and assistant fire marshals or assistant chiefs, captains, lieutenants, engineers, stokers, drivers, pipemen, truckmen, and assistant superintendent, repairers, or linemen of the fire alarm telegraph.

SECTION 2. That section 3 of an act entitled an act to provide for the relief of disabled firemen in cities of the second grade of the first class, and amended April 16, 1881, and March 29, 1883, be and the same is hereby repealed.

SECTION 3. This act shall be in force and take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed March 24, 1886.

[Senate Bill No. 48.]

AN ACT

To repeal an act requiring individual and partnership traders to record their names.

Act requiring traders to record their names repealed.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "an act requiring individual and partnership traders to record their names," passed April 10, 1884, (O.L., vol. 81, page 131), be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 25, 1886.

[Senate Bill No. 23.]

AN ACT

To amend section 3 of an act supplementary to the "act relating to cities of the first class, having a population exceeding one hundred and fifty thousand inhabitants, passed May 4, 1869," passed February 24, 1876.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sec. three of an act passed February 24, 1876, entitled "an act supplementary to the act relating to cities of the first class, having a population exceeding one hundred and fifty thousand inhabitants," passed May 4, 1869, be so amended as to read as follows:

Actions against trustees of Cincinnati Southern railway.

SEC. 3. In actions relating to said trust it shall not be necessary to name the individual trustees composing the said board of trustees, and actions shall be commenced against them as "trustees of ———— railway," (*filling the blank with the name given to the railway*). Service shall be made at the office of the board on the president, secretary, or other officer in charge thereof; and

actions now pending may be continued as above provided, by striking out the names of the trustees.

SECTION 2. That said original section 8 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 25, 1886.

[House Bill No. 89.]

AN ACT

To amend sections 449 and 457 of the Revised Statutes of Ohio, as amended February 7, 1885, (82 v. 16.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 449 and 457 of the Revised Statutes, as amended February 7, 1885, (82 v. 16), is so amended as to read as follows:

Annual meeting of circuit judges; chief justice.

SEC. 449. The judges of the circuit court shall, on the third Tuesday in September annually, meet in the supreme court room in the city of Columbus, and organize by choosing one of their number chief justice for the next judicial year, which shall commence on the first day of January; and they shall then issue an order to the clerk of the circuit court in each county of their respective circuits, fixing the time of commencement of each term of the circuit court in each county in each circuit for the next judicial year, and deliver a copy thereof to the secretary of state. Such order may thereafter be changed by the judges in any circuit, when the business thereof shall require it; and until such changes have been made, the terms in each county shall be held at the times fixed by the judges, annually, in general convention. The clerk of the circuit court, upon receipt of any such order signed by the judges of his circuit, shall immediately enter the same on the journal of the circuit court of his county, and such entry shall be sufficient evidence as to the legal terms for holding the courts as therein ordered; and such clerk shall cause a copy thereof to be published in one or more newspapers of general circulation in his county, once a week, on the same day of the week, for three consecutive weeks. (81 v. 168, § 454*b*.)

Times of holding circuit courts.

Times of holding common pleas courts.

SEC. 457. The judges of the common pleas court in each common pleas district, or a majority of them, shall on the third Tuesday in October, in each year, issue their written order to the clerk of the common pleas court in each county in such district, fixing the day of the commencement of each term of the common pleas courts in each county in such district for the next judicial year, which shall commence on the first day of January; and any order so made may be changed by a subsequent order made and issued by them to the several clerks of the court in the district;

Terms in each county.

and the court shall be held for the year covered by such order or orders at the times so ordered; provided, that not less than three terms of the common pleas court shall be held in any county each year.

SECTION 2. That sections 449 and 457 of the Revised Statutes of Ohio, as amended February 7, 1885, (82 v. 16), are repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 25, 1886.

[House Bill No. 248.]

AN ACT

To amend sections 4072 and 4075 of the Revised Statutes of Ohio.

County examiners.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 4072 and 4075 of the Revised Statutes of Ohio be and the same are hereby amended to read as follows:

Disposition of fees.

SEC. 4072. The clerk of the board shall pay to the county treasurer, quarterly, all fees received, and file with the county auditor a written statement of the amount, and of the number of applicants, male and female, examined during the quarter; and such money shall be set apart for the support of teachers' institutes, and applied as provided in chapter thirteen.

Compensation and expenses of board.

SEC. 4075. Each member of the board shall be entitled to receive two dollars for each day he is necessarily engaged in official service, to be paid out of the county treasury on the order of the county auditor; all books, blanks, and stationery required by the board shall be furnished by the county auditor. The board may contract for the use of suitable rooms in which to conduct examinations, procure fuel and light, and employ janitors to take charge of the rooms and keep them in order. and the expenses so incurred, and also the necessary traveling expenses of the examiners, which shall not in any quarter exceed one-third the amount of examination fees received, together with the cost of advertising required by section 4071, shall be paid out of the county treasury on orders of the county auditor, who shall issue such orders upon the certificate of the president of the board, countersigned by the clerk.

SECTION 2. That said original sections 4072 and 4075 be and the same are hereby repealed; and this act shall take effect September 1, 1886.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 25, 1886.

[Senate Bill No. 70.]

AN ACT

To amend sections 3767 and 3768 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 3767 and 3768 of the Revised Statutes be amended so as to read as follows:

Certain corporations may prescribe rules, etc., in their articles.

SEC. 3767. An association incorporated for the purpose of receiving gifts, devises, or trust funds to erect, establish or maintain an academy in any department of fine arts, or a gallery for the exhibition of paintings, or sculpture or works of art, or a museum of natural or other curiosities, or specimens of art or nature promotive of knowledge, or a law or other library, or courses of lectures upon science, art, philosophy, natural history, or law, and to open the same to the public on reasonable terms, or an industrial training school, or a mechanics' institute for advancing the best interests of mechanics, manufacturers and artisans, by the more general diffusion of useful knowledge in those classes of the community, may in its articles of incorporation prescribe the tenure of office of the trustees or directors, the mode of appointing or electing successors, the administration and management of the property, and trust and other funds of the corporation, and such other organic rules as may be deemed expedient or acceptable to donors, which shall be and remain the permanent organic law of the corporation.

May add to the objects of the corporation.

SEC. 3768. Such corporations may by certificate, duly acknowledged by the trustees or directors, and filed in the office of the secretary of state, add to the original objects and purposes of the corporation any of the several objects and purposes mentioned in the preceding section which were not provided for by the articles of incorporation, and any such corporation heretofore incorporated under the laws of the State may by certificate, reciting the organic rules adopted by such corporation as its permanent organic law, and duly acknowledged by the trustees or directors, and lodged in the office of the secretary of state, accept the provisions of the preceding section.

Acceptance of statutory provisions.

SECTION. 2. Said original sections 3767 and 3768 are hereby repealed.

SECTION 3. This act shall take effect and be in force upon and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 26, 1886.

[Senate Bill No. 96.]

AN ACT

To amend section 4413 of the Revised Statutes of Ohio, relative to purchasers of second-hand articles.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4413 of the Revised Statutes of Ohio be so amended as to read as follows:

Books to be kept by purchasers of second-hand articles, etc.

SEC. 4413. Any person who purchases, sells, exchanges, or receives second-hand furniture, second-hand articles of any kind, scrap iron, old metal, canvas, rope, junk, or lead pipe, except plow irons, and old stoves, shall put up, in a conspicuous place, in or upon his shop, store, wagon, boat, or other place of business, a sign, having his name and occupation legibly inscribed thereon, and shall keep a book open to inspection by any member of any police force, city marshal, or constable, or any other person, in which shall be written, at the time of every purchase or exchange of any of the articles above mentioned, a description thereof, the name and residence of the person from whom purchased or received, and the day and hour when such purchase or exchange was made; and any and all of such articles so purchased or exchanged, shall be retained by the purchaser thereof for at least twenty-four hours before disposing of the same, and kept in an accessible place in the building where such articles are purchased or received.

Retention of such articles.

SECTION 2. That section 4413 of the Revised Statutes of Ohio be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 26, 1886.

[House Bill No. 164.]

AN ACT

To reimburse Kate Connor, an employe of the imbecile asylum, for losses sustained by the fire of November, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there is hereby appropriated from any moneys in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of one hundred and fifty dollars, to pay the losses of Kate Connor, an employe of the imbecile asylum at the burning of that institution in November, 1881, and that upon the passage of this act, the auditor be required to draw an

Appropriation to pay Kate Connor.

order upon the treasurer for said sum in favor of Kate Connor, in full payment of said claim.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives
ROB'T P. KENNEDY,
President of the Senate.

Passed March 26, 1886.

[House Bill No. 225.]

AN ACT

To supplement section 1707 of the Revised Statutes of Ohio, so as to provide for the election, in cities of the second class and third grade, having a population at the last federal census of sixteen thousand five hundred and twelve, of a police judge; and for the appointment of a prosecuting attorney and clerk of the police court.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1707 of the Revised Statutes be supplemented by the addition of a section to be known and numbered as section 1707*b*, to read as follows:

Officers of city of Akron.

SEC. 1707*b*. The officers of cities of the second class and third grade, having a population at the last federal census of sixteen thousand five hundred and twelve and no more, shall consist of a mayor, solicitor, marshal, a city commissioner, who shall be superintendent of streets and highways, and a treasurer, except as otherwise provided by law, and a police judge, all of which officers shall be chosen by the electors of such cities; a clerk, who shall be chosen by the council of such cities; a prosecuting attorney of the police court and a clerk of the police court, who shall be appointed by the mayor, by and with the consent and approval of the city council; and the council may, when in its opinion expedient, create, by ordinance, the office of auditor, civil engineer, sealer of weights and measures, fire engineer, and superintendent of markets, and provide for their election or appointment, and compensation.

Police court and its officers.

The jurisdiction of said police judge, and the duties of said police judge, clerk, and prosecuting attorney shall be the same, as far as applicable, as those prescribed for said officers in Chapter 1, Division 5, Title 12, [of Part First] of the Revised Statutes; provided, that at the first election for police judge held under this act, he shall be elected to serve until the election and qualification of a successor, which successor shall be elected at the regular municipal election of 1887, and thereafter the term of office of said police judge shall be the same as prescribed in section 1709; and provided, further, that nothing herein shall affect the term of office of any officer or officers of said cities of the second class, who shall have been elected and qualified at the time of the passage of this act.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 26, 1886.

[House Bill No. 365.]

AN ACT

To amend an act entitled "an act to authorize the board of education in cities of the first class, second grade, to make an additional levy for school purposes," passed February 9, 1883.

Cleveland board of education may make school levy.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education in cities of the first class, second grade, may for the year 1886, and for the next four years following, levy on each dollar of valuation of taxable property one mill per year, additional to that now allowed; the proceeds of said levy to be exclusively used for the erection, furnishing, and repair of school-houses, and, when necessary, for the purchase of sites therefor.

May issue new bonds.

SECTION 2. The board of education in said cities, against which bonds are about to mature in the year 1886, which have been issued under the terms of section 3994 of the Revised Statutes, may at once provide for and reissue new bonds in place of said maturing bonds, which new bonds may mature in such amounts and at such times as said board shall deem best; but also provided that all of said new bonds shall mature within the period of ten years.

SECTION 3. Said original act is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 29, 1886.

[Senate Bill No. 91.]

AN ACT

To amend sections 4672 and 4673 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 4672 and 4673 of the Revised Statutes of Ohio be amended so as to read as follows:

Petition for township road and notice.

SEC. 4672. If any person or board of education, for the convenience of the petitioners or neighbors, wishes to have a township road laid out from the plantation or dwelling place of any person, or from any mill, or house of public worship, or to any cemetery, or burial ground, or school-house, or to a public road, or from one public road to intersect another, or from any tract of wild or timber land, or from a railroad station to a township, county, or state road, or sawmill; he, or it may petition the trustees of the proper township, after giving thirty days' previous notice thereof, by advertisements posted up at three public places within the township, setting forth therein the time when the petition is to be presented, the place of beginning, intermediate points, if any, and the place of termination of the road.

SEC. 4673. On such petition being presented to the trustees, and they being satisfied that proper notice has been given as aforesaid, they shall cause the petitioner to enter into bond with sufficient surety, payable to the state for the use of the township, and conditioned that the person or board of education making such application shall pay the amount of all costs and expenses of the view and survey of the road. Bond.

SECTION 2. That said sections 4672 and 4673 are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 29, 1886.

[Senate Bill No. 51.]

AN ACT

Making appropriations to pay the principal and interest of the public debt, interest on the irreducible debt, and expenses of the sinking fund commissioners.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money that may be in the treasury, or that may come into the treasury belonging to the sinking fund, the following sums for the purposes herein named: Appropriation for public debt and sinking fund commissioners' expenses.

For the payment of the principal of the funded debt due July 1, 1886, three hundred and seventy-five thousand dollars ($375,000)

For the interest on the funded debt, one hundred and eighty-six thousand one hundred and thirteen dollars and eighty-five cents ($186,113.85), or so much thereof as may be necessary to pay the interest falling due July 1, 1886, and January 1, 1887.

For the interest on the irreducible debt of the State which constitutes the school, ministerial, indemnity fund, Ohio university, and Ohio State university, two hundred and sixty-nine thousand one hundred and eighty-two dollars and seventy-four cents ($269,182.74), or so much as is necessary to pay said interest.

For the payment of the expenses of the commissioners of the sinking fund, including salary of the clerk, fifteen hundred dollars ($1,500.)

For expenses of sinking fund commission, in paying the loan due July, and the interest due December, 1886, three hundred dollars ($300.)

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 29, 1886.

[House Bill No. 42.]

AN ACT

To amend section 4215 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4215 of the Revised Statutes of Ohio, be so amended as to read as follows:

Allowance of damages for sheep killed by dogs.

SEC. 4215. Any person damaged by the killing or injuring of sheep may present a detailed account of the injury done, with the damages claimed therefor, verified by affidavit, to the commissioners of the county wherein such sheep were killed or injured, at some regular session, or within one year thereafter, and shall make it appear to the satisfaction of the commissioners, upon the parol testimony of at least two other persons who are freeholders of the neighborhood where the injury was done, that the damage claimed is just and reasonable, and also make it appear that such injury was not caused, in whole or in part, by any animal kept or harbored by him, and that he does not know whose animal committed such injury, or if known, and such account reduced to judgment could not be collected on execution, and the witnesses in such cases, not exceeding two, shall be allowed the same fees and mileage as witnesses are allowed before the court of common pleas; the commissioners shall hear such accounts in the order of filing, and may allow the same, or such parts thereof as they may deem right, and, if satisfied that such account is correct and just, they shall order the payment thereof, together with the fees and mileage of the witnesses, out of the fund created by the per capita tax on dogs. If such fund is insufficient to pay all such claims allowed in full, they shall be paid pro rata; and if, after paying all such claims at any such session, there remain more than one thousand dollars of such fund, the excess shall be transferred to the school fund and used for the benefit of the common schools in such county; but in Cuyahoga county so much of excess as may be required may be appropriated to the payment of the amount authorized by the second section of the act relating to industrial schools or children's homes, passed April 24, 1877, 74 v. 128. [76 v. 83, § 8.]

Excess of dog tax.

SECTION 2. That said original section 4215 be and the same is hereby repealed.

SECTION 3. This act to take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 29, 1886.

[House Bill No. 129.]

AN ACT

To amend section 2690c of the Revised Statutes, as amended April 14, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2690c, as amended April 14, 1884, be and the same is hereby amended so as to read as follows:

SEC. 2690c. No tax shall be levied upon the property of any such city, by the council thereof, or any other authority therein, except by the boards of education in cities of the first grade of the first class and in cities of the third grade of the first class for school and educational purposes, until approved by the board of tax commissioners aforesaid. Provided that in cities of the third grade of the first class, boards of education shall not levy in excess of five and one-half ($5\frac{1}{2}$) mills upon the dollar of the taxable property thereof in any one year.

Approval of levies by tax commissioners of certain cities

Limitation on levy.

SECTION 2. That said section 2690c, as amended April 14, 1884, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 29, 1886.

[House Bill No. 203.]

AN ACT

To establish an efficient and non-partisan police in cities of the first grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922 and 1923 of the Revised Statutes, as amended by the acts of February 27, 1880, April 15, 1882, and April 3, 1885, (82 v. 101), be so amended as to read as follows:

Cincinnati police.

SEC. 1870. All police powers and duties connected with and incident to the appointment, regulation and government of a police force in cities of the first grade of the first class, shall be vested in the mayor and a board of commissioners, consisting of four electors of said city, to be appointed by the governor. The governor shall appoint as the commissioners above, four citizens, electors of such city, well known for their intelligence and integrity, not more than two of whom shall be of the same political party; two of whom, of different political party faith

In whom police powers and duties vested; board of commissioners.

Qualifications.

Term.

and allegiance, shall be designated in their appointment to serve for two years, and the other two also of different political party faith, shall be designated to serve for four years. And thereafter, at the expiration of such term, and at each period of two years, the governor shall appoint two members of said board. For official misconduct the governor may remove any of said commissioners; and all vacancies in said board, by death, resignation or removal, shall be filled by the governor for the unexpired term; and all vacancies from whatever cause, shall be so filled that not more than two of the members of said board shall be of the same political party, or so reputed. The commissioners, before entering upon their duties, shall take and subscribe an oath, which shall be filed and kept in the office of the city clerk, to support the constitution of the United States and of the State of Ohio, to obey the laws, and in all their official actions and judgments to aim only to secure and maintain an honest and efficient system of police, free from partisan dictation or control.

Removals; vacancies; oath.

Appointments by mayor with approval of board.

SEC. 1871. The mayor shall nominate, and with the approval of the commissioners, shall appoint all policemen and all officers for the police force. Nominations shall be made without reference to political party opinions or affiliations. All appointments of officers for the police force, except the superintendent, shall be by promotion from the grade next below. The superintendent and inspector shall be nominated by the mayor, and with the approval of the commissioners, shall be appointed by him, and shall be under the authority and command of the mayor. The mayor shall also nominate, and with the approval of the commissioners, shall appoint all clerks, station-house keepers and substitutes. The mayor shall also nominate, and with the approval of the commissioners, shall appoint two physicians, who have been in active practice in said city, for at least five years before their appointment. These two physicians, with the police surgeon, shall constitute a board of examiners, whose duty it shall be to examine and pass upon all applicants for positions, as substitutes, patrolmen or lieutenants on said force. It shall also be the duty of this board of examiners, to pass upon the cases of any members of the force claiming a pension or an allowance for any temporary or permanent disability, except as hereinafter provided, in the case of members who have served fifteen years on the police force, and reached the age of fifty years. No patrolman, substitute or lieutenant of police shall be eligible to appointment on the force, unless he shall have received from said board of examiners a certificate of physical fitness; and no member of the force shall receive a pension or an allowance for permanent or temporary disability except upon the approval of said board of examiners.

Board of examiners.

Board disqualified to hold office; interference in elections, etc., by police.

SEC. 1872. Any commissioner who, during the term of his office, accepts any other place of public trust or emolument, or who, during the same period, knowingly consents to his nomination for an office, elective by the people, or fails publicly to decline the same within twenty days succeeding his nomination, shall be deemed to have thereby vacated his office, and the governor shall appoint a successor; and no member of the police force shall be a delegate to, or otherwise take part in any primary or

other political convention or election, except to cast his vote. Any interference by any officer or member of the police force in elections or conventions, for or against any political party or candidate, shall require his dismissal from the force by the commissioners.

Meetings, president, conduct of business, clerk of the board.

SEC. 1873. Meetings of the commissioners for the transaction of business shall be held at their office upon some particular days to be designated by them, and at such other times as the mayor may call them in session. The board of commissioners shall designate some one of their members to act as president, and in case of failure at any time for ten minutes to choose a president by ballot, he shall be chosen by lot. A majority of the board shall constitute a quorum for the transaction of business, but a majority of the entire board shall be necessary to pass any measure or authorize any act by the board. The board shall elect a clerk, at a salary not to exceed fifteen hundred dollars per annum, who shall keep the record, and have charge of the office, and shall perform such duties as may be assigned to him by the board, and may be removed by the board at any time.

General powers of mayor.

SEC. 1875. The mayor shall possess full power and authority over the police organization, government and discipline within such city; and shall, moreover, have possession and control of all property, books, records and equipments belonging to or under the control of the police authorities, and shall have the other powers and perform the other duties specified in this sub-division.

Mayor's power in case of riots, etc.

SEC. 1876. The mayor is hereby invested with and shall, when he considers it necessary, exercise all the powers which are conferred by law upon sheriffs of counties, in respect to requiring the services of the military in aid of the civil authorities, to quell riots, suppress insurrection, protect property, and preserve public tranquillity. And such investiture of power shall exclude within the city, the exercise of similar powers by the sheriff of the county in which the city is situated.

Mayor's power in case of emergency.

SEC 1877. In case of riot or insurrection, or any like emergency within such city, which in the judgment of the mayor requires the intervention of the police force, he shall have power to call out the whole force and control the same during the emergency; and in case of any emergency in such city, which in the judgment of the mayor requires a temporary increase in the members of the police force, he shall have the power to appoint as many other patrolmen or officers as he may deem necessary, to serve as long as such emergency exists, not exceeding five days.

General duties of mayor and force.

SEC. 1878. It shall be the duty of the mayor, and of the force hereby constituted, at all times of the day and night, within the boundaries of the city, to preserve the public peace, prevent crime, arrest offenders, protect rights of persons and property, guard the public health, preserve order, remove nuisances existing in public streets, roads, places and highways, report all leaks or other defects in water pipes and sewers to the proper authorities, provide a proper force at every fire, in order that thereby the firemen and property may be protected, protect strangers and travelers at steamboat and ship landings and railway stations, and generally to obey and enforce all ordinances of the city council, and criminal laws of the State and of the United States.

Force how constituted and officered.

SEC. 1879. The police force shall be composed of a superintendent of police, and inspector of police, whose duty it shall be to act under the direction of the superintendent, as his deputy or assistant, and perform such other service as may be required of him by the mayor or superintendent; so many lieutenants of police as may be necessary, not to exceed twenty; one superintendent of patrol, with rank and pay of lieutenant; so many clerks, police court officers and station house keepers as may be necessary; and so many watchmen or patrolmen as may be proper, not to exceed three hundred, not including mounted police, and one surgeon of police.

Qualifications of members and officers.

SEC. 1880. Each member and officer of the police force shall be an elector of the city in which he is appointed, and able to read and write the English language understandingly. No person shall be appointed a member or officer of the police force, unless he is well known to be a man of sobriety and integrity, and has been and is an orderly and law-abiding citizen. No man shall be appointed a member or officer of the police force who has been convicted of any felony, or who has been convicted of any misdemeanor within three years previous to his appointment, or has been engaged in any unlawful calling, or has pursued any calling in a manner forbidden by law, nor shall any person be appointed a member or officer of said force on account of any political partisan service rendered by him, or on account of political sentiments or affiliations, nor shall any officer or member of the said force be removed or discharged or reduced in grade or pay for any political or partisan opinions. Their appointment and continuance upon the police force shall depend solely upon their ability and willingness to enforce the law.

Term of members; nominations by mayor.

SEC. 1881. All appointments in the police force shall continue during good behavior. Members and officers of the police force, as herein constituted, may be nominated by the mayor from the present force in said city, or from other electors of the city. The police force, as now existing and organized, shall continue under the control and management of the mayor until new appointments have been made as directed herein, but such appointments and reorganizations shall be completed within ninety days after the passage of this act. The nominations made by the mayor shall be submitted to the board of commissioners in session and considered by them. The commissioners shall have the power to call for information, to summon nominees before them for examination as to their fitness, and to summon witnesses, and to take any other lawful means which shall enable them to form a correct and intelligent judgment as to the fitness of nominees. If any nominee of the mayor is disapproved of by the commissioners, the mayor shall forthwith be notified thereof. When nominees have been approved by the commissioners, the mayor shall proceed to appoint them and assign them to duty. No member or officer of the police force shall, after his appointment as herein directed, be removed from the force or reduced in grade or pay for any reason except inefficiency, misconduct, insubordination, or violations of law. Any person may present charges against an officer or member of the police force, which shall be filed in the office of the mayor, and by him communi-

Approval of nominations by board.

Appointments and removals.

Charges against members and officers.

cated, without delay, to the commissioners, whose duty it shall be to investigate and decide upon said charges. It shall be the duty of the mayor, whenever probable cause appears, to prefer charges against any member or officer of the force whom he believes to have been guilty of any conduct justifying his removal or punishment in the interest of the public order. In such cases the mayor may suspend from duty, or from both pay and duty, any officer or member against whom charges have been made; and such officer or member shall not be placed upon duty or allowed pay thereafter unless the charges are found by the board of police commissioners not to be sustained. All charges against members or officers of the police force shall be forthwith filed by the mayor in the office of the commissioners, and within three days after such filing the commissioners shall proceed to hear and examine said charges. All charges shall be taken as denied and the hearing shall be summary and without pleading, and the action of the commissioners thereon shall be final. A record of charges and findings shall be made by them and kept in their office. They may discharge, suspend or reduce the grade and pay of any person found guilty as above. No officer or member of the police force who has been found guilty and discharged, shall ever be eligible for re-appointment to the force in any capacity whatever, unless it shall be afterwards proved to the commissioners that their decision was erroneous, and that in fact he was not guilty of the offense for which he was dismissed.

Suspensions by mayor.

Hearing of charges; discharge, etc., of members.

SEC. 1882. Each officer and member of the police force, private policeman, special policeman, and substitute policeman, before entering upon the discharge of his duties, shall take an oath before the mayor, who is hereby empowered to administer the same, to well and faithfully discharge the duties of his office, which oath shall be subscribed by the person taking it, and shall be filed and preserved in the office of the police commissioners; the superintendent shall give a bond for the faithful discharge of his duties in the sum of ten thousand dollars, to be approved by the board and city solicitor, which shall be filed in the city clerk's office, and thereafter, under the direction and control of the mayor, he shall have command and control of the police force of such city; and each lieutenant of police shall give bond in the sum of five thousand dollars, and each patrolman in the sum of one thousand dollars, with sureties to the satisfaction of the board and city solicitor, for the faithful discharge of his duties, and for the payment of any damages that may be adjudged against him by any tribunal for the illegal arrest, imprisonment or injury by him of any person. All bonds of members of the police force shall be signed by at least two freeholders as sureties, who shall prove to the satisfaction of the commissioners that they own real estate within the county in which such city is located, worth not less than twice the amount of the bond, free from liens and debts. The commissioners shall cause to be prepared a convenient manual containing a compend of all the laws and ordinances which the police force is required to obey or enforce, and such instructions as shall aid them in the intelligent discharge of their duty. Each officer and member of the force shall be supplied with a copy, for the preservation of which he shall be held

Oath and bond of officers and members.

Duties of superintendent.

Police manual.

responsible as for other public property. It shall be the duty of every member and officer of the force to make himself acquainted with the directions contained in the manual, and in every way to become familiar with all the duties of his position. The superintendent and inspector shall be specially charged with the duty of instructing members and officers of the force in their duties and, from time to time, examining them as to their knowledge of the requirements of their positions. It shall furthermore be the duty of the board of police commissioners, at least twice in each year, to require the examination of and inspection of the entire force, and for this purpose the commissioners may appoint an examiner or examiners, and prescribe the rules and methods of examination. The commissioners may order any officer or member of the force at any time to be inspected and examined. Gross ignorance of the laws and regulations governing and directing the police force, after six month's service as officer or member, shall be deemed conclusive proof of inefficiency, and shall require the removal of such officer or member of the force.

Examination and inspection of force.

Secret detectives.

SEC. 1885. The mayor shall have power to detail members of the police force to act as secret detectives, who shall be under his control, and each secret detective may be allowed as extra compensation a sum not exceeding one hundred dollars each per annum.

Substitutes.

SEC. 1886. The mayor may, with the approval and consent as before of the commissioners, subject to the qualifications laid down in section 1880 of this act, appoint a sufficient number of substitutes to fill the vacancies occasioned by the absence of any members of the force, who shall receive compensation only for the time they serve, and the amount of such compensation shall be deducted from the pay of the absent member. Vacancies in the regular force shall be filled by nominations from the substitutes. And such substitutes shall be subject to examination as other members of the force, and in their promotions to the regular force, those showing the highest proficiency shall be preferred.

Special police from other city departments

SEC. 1887. The mayor, with the consent of the board of commissioners, is hereby authorized to appoint persons of suitable character, who may be in the employment of the city in other branches or departments, special patrolmen or policemen, but such special policemen shall not be paid for their services as policemen, either from the police fund of the city or county treasury, and such policemen shall possess the same power as the regular patrolmen, and shall obey the rules and regulations governing the police force, and conform to its general discipline.

Mounted police.

SEC. 1888. The mayor, with the consent of the board of commissioners, shall, upon the passage of an ordinance or resolution and the making of an appropriation therefor, in conformity with such resolution and ordinance by the common council of such city, employ and equip mounted policemen in such manner and for such compensation and for such districts within the corporate limits of the city as said mayor may recommend and the commissioners may approve.

Uniform and badge.

SEC. 1889. Every member of the police force, while on duty, shall wear a uniform to be prescribed by the mayor, and shall at all times in public, wear a badge of his office, to be furnished by the board.

Exemption from jury duty, etc.

SEC. 1890. No person holding office under this sub-division shall be liable to military or jury duty, or to arrest on civil process, nor to service of subpœnas from civil courts while actually on duty.

Duty of mayor and force at elections.

SEC. 1891. The mayor shall detail, on the day of any primary or other election in such city, one or more patrolmen, as he may deem necessary, to each election poll, to aid in the preservation of order and the protection of voters and challengers, and such patrolmen shall be subject to the lawful orders of the judges of said election, given for the enforcement of law and for the protection of the rights of electors and the preservation of the purity of the ballot.

Annual estimate for police fund.

SEC. 1892. The fund required for all purposes in carrying out the provisions of this sub division, shall be annually estimated by the mayor and approved by the board, and on or before the first Monday of May in each year, reported to the city comptroller, who shall record and file the same, and submit it to the committee on finance of the common council, together with an ordinance levying a tax therefor for the year commencing on the first of March thereafter.

Levy and collection of police tax.

SEC. 1893. The common council is hereby required to levy and cause to be collected such tax in the same manner as other taxes are now or may hereafter be levied and collected in such city; and such funds shall be certified to the treasurer of the city by the comptroller, as the police fund, and shall be held by such treasurer as other city funds, subject only to the order of the police commissioners, as herein provided; and any interest derived from the deposit of such fund shall be credited to the police fund.

Incidental expenses of board.

SEC. 1894. For all expenses incurred by the police department, such as erecting buildings, rent, repairs, advertising, printing, stationery, postage stamps, telegrams, fuel, lights, feeding prisoners, clubs, whistles, badges, and other such incidental expenses as may be necessary to carry out the provisions of this subdivision, subject to the restrictions herein provided, the commissioners, on the recommendation of the mayor, shall have power to appropriate money to pay the same out of the police fund, and thereupon an order, signed by the president and countersigned by the clerk of the board, shall be drawn upon the city comptroller, payable to the person to whom such sum may be due, specifying the purpose for which the appropriation was made, and the city comptroller shall immediately draw his warrant upon the city treasurer, payable to the person in whose name the order was drawn, and the treasurer shall pay the same out of the police fund. Said board of commissioners shall audit all claims created under existing laws, and the same when thus audited, shall be paid in the manner provided for the payment of expenses incurred under this act.

Compensation of officers and members.

SEC. 1895. The officers and members of the police force shall receive compensation as follows: The superintendent of police a salary of twenty-five hundred dollars per annum, eight hundred dollars of which sum shall be paid by the county in which such

city is situated; the inspector of police shall receive a salary not exceeding fifteen hundred dollars; the police surgeon shall receive a salary not exceeding twelve hundred dollars; lieutenants of police shall receive pay at the rate of seventy dollars per month for the first year, seventy-two dollars per month for the second year, seventy-five dollars per month for the third year, and for the fourth and subsequent years of their service eighty dollars per month; patrolmen shall receive pay at the rate of sixty dollars per month during the first year of their service, sixty-five dollars during the second year of their service, and seventy dollars per month for the third and subsequent years; and station-house keepers shall receive pay at the rate of fifty dollars per month; provided, however, that in estimating the length of service those officers and policemen appointed from the force now existing in such city shall receive credit for the faithful services rendered as such officers and policemen heretofore. The compensation of the two physicians, who, with the police surgeon constitute the board of examiners, shall be three hundred dollars ($300) per annum each, payable quarterly; and the compensation of all clerks and other persons employed under the provisions of this act, and not otherwise fixed, shall be determined by the commissioners.

Compensation of board and clerk—salaries how paid.

SEC. 1896. The compensation of the commissioners herein provided for is hereby fixed at one thousand dollars per annum for each, payable quarterly, and the clerk of the police department shall draw his warrant therefor; and also the warrant, monthly, for the salary of their clerk, attested by the president of the board, in favor of each commissioner. Officers and members of the police force shall be paid their salaries semi-monthly, for which warrants shall be drawn as above, which shall be presented to the city comptroller, who shall thereupon draw his warrant therefor upon the city treasurer, payable to such member or commissioner, and the treasurer shall pay the same.

Presents, fees, etc., to members of force prohibited.

SEC. 1897. No member of the police force shall, for his own benefit, under any pretense whatever, receive or share in any present, fee, gift, or emolument for public services other than the regular salary and pay, except by the consent of the board and superintendent, publicly given; nor shall any member share in or receive any fee, gift, or reward from any person who may become bail for any arrested, accused or convicted person, or who may become surety for any such person on error to the judgment or decision of any court or magistrate, or any fee, gift or reward in any case from an attorney-at-law who may prosecute or defend any person arrested or prosecuted for any offense within the county within which such city may be situated; nor shall any such member either directly or indirectly interest himself or interfere in an manner whatever in the employment of any attorney to aid in the defence of any person arrested or accused; and for any violation of either of the foregoing provisions, the persons so offending shall be immediately removed from the police force.

Expenses of detecting crime and arresting criminals, how paid.

SEC. 1898. The actual and necessary expenses incurred by any member of such police force in serving or executing any process or subpœna in a criminal case, or in detecting, or endeavoring to detect, discover or arrest any perpetrator of crime against the laws of the State, or to discover or reclaim any property feloni-

ously stolen, concealed or carried away, when directed to do so by the superintendent or the mayor, or by the prosecuting attorney of the county in which such city is located, shall be a charge against such county; and the amount of such expenses shall be made out in detail and verified by the oath of the party to whom the same is due, to the effect that the sums therein charged have been actually paid out by him, and shall not include any items of traveling expenses in cases wherein transportation had been furnished to the party gratuitously and without pay by him, under whatever circumstances such free transportation may have been given, and when such bill has been audited and certified by the board of police commissioners, it shall be presented to the board of commissioners of the county, and shall be by them audited and paid as other county expenses are audited and paid.

Station-houses.

SEC. 1899. The mayor, upon the approval of the board of commissioners, shall provide, when required, at the expense of the city, all necessary accommodations within such precincts as are contained within the boundaries of such city, at the station-houses required by the board for the accommodation of the police force of such precinct, for the lodging of vagrant or disorderly persons and for the temporary detention of persons arrested for offenses or held as witnesses.

Lands and buildings for police purposes.

SEC. 1900. The power of purchasing lands for police purposes and the supervision and control of the erection, altering or repairing any station-houses or buildings, shall be solely vested in the board of police commissioners; and all expenses incurred for the above purposes shall be paid out of the police funds of such city upon the order of the board; provided, that no such purchase or expenditure shall be made except upon recommendation of the mayor; and provided further, that no expenditure exceeding one thousand dollars for the purchase of land or the erection of new buildings, or alteration or repair of old buildings shall be made by the board unless the same shall have been first approved by the common council.

Contracts; notice.

SEC. 1901. At least ten days' notice shall be given in some newspaper of general circulation in such city, of the reception of proposals for the performance of any contract exceeding five hundred dollars in amount, and such contract shall be awarded to the best and lowest bidder, who shall furnish satisfactory security for the performance of the same; and no commissioner or other officer of the board, or employe of the department shall be interested in any contract connected with the police department.

Pay and pension of disabled policemen.

SEC. 1902. When a patrolmen or any officer of a higher grade on the active force becomes bodily disabled, in consequence of and while in the performance of official duty, he may continue to draw his regular salary, at the discretion of the board, for a period not to exceed three months. If such disability, incurred in consequence of and while in performance of official duty, shall appear to be of such a character as to permanently unfit such member for active duty upon the police force, he shall, upon the recommendation of the mayor and the approval of the board of commissioners, be retired, and shall be allowed out of the police fund a pension of ten ($10) dollars per month, to be paid monthly as provided herein for the salaries of members of the force. But

Assignment to other duties.

if any member of the force, on recovery from such disability, be assigned to duty and full pay, his pensions shall cease. Patrolmen and officers of a higher grade, who have done faithful service, and have been disabled, so as to unfit them for serving as patrolmen, or as such officers, may be assigned to other duties suitable to their physical abilities, and shall always have preference in such assignments. When such members of the force in consequence of such partial disability have been assigned to any position having a rate of compensation lower than the one to which such member was entitled, previous to his disability, such assignment shall not exclude him from receiving a pension, or terminate the pension which may have been awarded him. The pension herein provided for shall be aside from and in addition to any allowance which may come from the police relief fund provided for below.

Pension of retired members.

Any patrolman or officer of a higher grade who has served faithfully for the period of fifteen years, and who has reached the age of fifty years, may on retirement from active service, on the recommendation of the mayor and the approval of the commissioners, be allowed a pension of ten dollars per month, to be paid as provided above for pensions on account of disability.

Police relief fund.

SEC. 1903. The board of police commissioners are hereby authorized to create a police relief fund, by assessing upon each member of the force a sum to be deducted from the monthly pay of each member, not exceeding fifty cents per month; and the sum so fixed and deducted shall be paid into the city treasury to the credit of the police relief fund, and shall be used exclusively to relieve members of the force when sick or disabled from the performance of duty, for funeral expenses, relief of their families in case of death, or for pensions, when honorably retired from the force.

Fines, fees, etc., to be paid into relief fund and invested.

SEC. 1904. All fines and forfeitures from policemen, all rewards, fees, proceeds of gifts and emoluments that may be allowed by the board, to be paid and given for or on account of any extraordinary service of any member of the force, all moneys arising from the sale of unclaimed property or money, after deducting all expenses incident thereto, shall be paid into the city treasury to the credit of the police relief fund; and the police commissioners shall be trustees of the fund, and shall invest the same from time to time, when there is a surplus, in United States bonds, bonds of the State of Ohio, bonds of such city, or bonds of county in which such city is located.

Rules for its disbursement; its board of directors.

SEC. 1905. The members of the police force of the city shall make such rules and regulations as to the disbursement of the police relief fund to the members as they may deem proper, such rules, and regulations to be approved by the board of police commissioners; and the members of the police force, each having one vote, shall elect annually, on the first Wednesday after the first day of January, in each year, a board of seven members from their own number, to be known as the board of directors of the police relief fund, to whom shall be entrusted the entire management of the fund and its disbursements, subject to the approval of the police commissioners as heretofore provided.

Organization of directors; payments from fund.

SEC. 1906. The board of directors shall organize, electing a president and secretary, and no payment of any money shall be made from the relief fund, save for investment by the trustees, except upon the order of the board of directors, signed by the president, countersigned by the secretary, and approved by the board of police commissioners. Members who have resigned, or have been dismissed from the force, shall have no interest in or claim on such fund; and members who are honorably retired from the force, shall only have such interest in the fund as may be fixed in the rules and regulations in relation to the fund by the board of directors, and approved by the commissioners.

Duty of police upon commission of crime.

SEC. 1910. When a crime is committed in such city, whether the person accused or suspected flees from justice or not, the superintendent of police may report to the chief of detectives all facts which may have come to his knowledge concerning the offense, or the accused, or suspected party, and the mayor may, in his discretion, authorize any person or persons belonging to the police force to arrest such accused or suspected person and return him to the proper criminal court having jurisdiction of the offense for trial.

Warrants and commitments.

SEC. 1911. The mayor and superintendent of police shall each have the power to issue criminal warrants in all cases upon the complaint of any person on oath, making the same returnable before the judge of the police court of such city, and they may each commit for examination.

Witnesses.

SEC. 1912. The mayor and clerk shall each have power to issue subpœnas attested in the name of the mayor, to compel the attendance of witnesses upon any proceeding authorized by this sub-division; witnesses for whom such subpœnas are issued shall be entitled to the usual fee prescribed for witnesses; and the superintendent and clerk are hereby authorized and empowered to administer oaths and affirmations to any person summoned and appearing in any matter or proceeding authorized as aforesaid, or to take any deposition necessary to be taken for the purpose of this subdivision; and in case any person subpœnaed under this section fails or refuses to obey such subpœna, or refuses to take, when required, the proper oath or affirmation, or to answer any proper question, the mayor shall have the same power to compel attendance and punish disobedience as justices of the peace in like cases.

Search warrants.

SEC. 1913. Upon complaint, on oath, that any personal property has been stolen or embezzled, and that the complainant believes that such property is concealed in any particular house or place in such city, or within four miles of the corporate limits thereof, the mayor may, if he is satisfied that there is reasonable ground for such belief, issue a warrant to search for such property, which warrant shall be directed to some officer of the police force, and shall command him to search the place, which place shall be designated, and the property particularly described in the warrant, and to bring such stolen property before the judge of the police court; and upon the return of such warrant to such judge, he shall proceed thereon in like manner as if such warrant had been by him issued; and no fees shall be allowed for the issue or execution of the warrants aforesaid.

Stolen property recovered.

SEC. 1914. All stolen or other property recovered by members of the police force, shall be deposited and kept in a place designated by the mayor; every such article or property shall be entered in a book kept for that purpose, together with the name of the owner, if ascertained, and the name of the place where found, and of the persons from whom taken, with the general circumstances, and the date of its receipt and the name of the officer receiving the same; an inventory of all money, or other property, shall be given to the party from whom the same was taken, and in case the same is not, within thirty days after such arrest and seizure, claimed by some person, it shall, unless otherwise ordered by the board, be delivered to the person from whom the same was taken and to no other person, either attorney, agent, factor, or clerk, except by special order of the mayor; and in case such money or property is, within thirty days, claimed by any other person, it shall be retained by such custodian until after the discharge or conviction of the person from whom the same was taken, and so long as it may be required as evidence in any case in court; and if such claimant establish, to the satisfaction of the police judge, that he is the rightful owner, the same shall be restored to him, otherwise, it shall be returned to the accused, personally, and not to any attorney, agent, factor, or clerk of such accused person, except upon special order of the mayor after all liens and claims in favor of the city, against the same, shall have first been discharged and satisfied.

Penalty for neglect to deposit stolen property.

SEC. 1915. In case of the neglect or refusal of any officer or patrolman to deposit the property taken or found in the possession of any person arrested, as provided in the preceding section, he shall be deemed guilty of a misdemeanor, and subject to indictment, on information, and be fined in a sum not exceeding three thousand dollars, and in no case less than twice the value of the property, or be imprisoned in the county jail not exceeding one month, or both; and the sentence of the court, in such cases, shall operate to vacate the office of the person so convicted

Disposition of unclaimed goods.

SEC. 1916. All goods unclaimed for the period of one year, shall be sold by the superintendent of police, at public auction, after giving due notice thereof, by advertisement, published three times in a newspaper of general circulation in such city.

Supervision over pawnbrokers, etc.

SEC. 1917. The mayor and the superintendent of police, and the lieutenants of police within their districts, shall possess powers of general supervision and inspection over all pawnbrokers, junk-shop keepers, cartmen, hackmen, dealers in second-hand merchandise, intelligence office keepers, and auctioneers, within such city; and in the exercise, and in the furtherance of such provisions, may, from time to time, detail members of the police force to fulfill such special duties in the aforesaid premises, as may be ordained by the board.

Examination of books of pawnbrokers, etc.

SEC. 1918. The superintendent and the lieutenants within their districts may, by authority in writing, empower any member of the police force, whenever such member is in search of property feloniously obtained, or in search of suspected offenders, to examine the books of any pawnbroker, or his business premises, or the business of any junk-shop keeper or dealer in second-hand merchandise, or intelligence office keeper; and such mem-

ber of the force, when thereunto authorized in writing as aforesaid, and having in his possession a pawnbroker's receipt or ticket, shall be allowed to examine the property purporting to be pawned, pledged or deposited on such receipt or ticket, in the possession of whomsoever such property may be; but no such property shall be taken from the possessor thereof without due process or authority of law.

Penalty for resisting police.

SEC. 1919. All willful resistance to the superintendent, lieutenants, or to any member of the force, while in official and due discharge of duty, by any of the persons named in the preceding section, shall be a misdemeanor, and such person, upon conviction thereof, shall be fined in any sum not less than ten nor more than five hundred dollars, and may be imprisoned in the county jail not more than three months, or both.

Suppression of gaming houses, etc.; arrests, etc.

SEC. 1920. Whenever the mayor ascertains or receives satisfactory information, that any house, room or premises within such city, or within four miles of the corporate limits thereof, is being kept or used as a common gaming-house or common gaming premises for playing therein for wager of money at any game of chance, or if the same is kept or used for any lewd or obscene public amusement, or the deposit or sale of lottery tickets or lottery policies, it shall be lawful for the mayor, and it shall be his duty, to authorize and direct the superintendent, or any other officer of the force, to enter such house, room or premises, and forthwith arrest all persons therein found offending against any law, and seize all implements of gaming, lottery tickets and lottery policies, and convey any person so arrested before the judge of the police court, and bring the articles to the office of the mayor.

Duty of superintendent of police as to such arrests, etc.

SEC. 1921. The superintendent of police shall cause such arrested persons to be vigorously prosecuted, and such seized articles to be destroyed, and the board shall cause the owner of such house, room, or premises, his agent or representative, to be notified in writing that such house, room, or premises, is being used for an unlawful purpose, and it shall be the duty of the owner, agent, attorney, or representative, to cause the use of the premises for such unlawful purposes to cease.

Penalty for failure to cause unlawful use of premises cease.

SEC. 1922. If any owner, agent, attorney, or representative neglects or refuses or fails to use diligence to cause the use of the premises for such unlawful purposes to cease, as provided in the preceding section, within a reasonable time, to the satisfaction of the mayor, he shall, upon conviction thereof, for the first offense, be fined not less than fifty nor more than two hundred and fifty dollars, and shall be committed until the fine and costs are paid; and for the second and any subsequent offense, he shall, upon conviction, in addition to the fine, be imprisoned in the county jail not less than fifteen days nor more than three months.

Seizure and destruction of gaming devices.

SEC. 1923. Whenever the mayor ascertains, or receives satisfactory information that there is any prohibited gaming table or other gaming device kept or used in such city, he shall have power to issue, and it shall be his duty forthwith to order a warrant to be issued by him directed to the superintendent of police or some other officer of the police under him, to seize and bring before him such gaming table or other gaming device; the officer

charged with the execution of such warrant shall have power to break open doors for the purpose of executing the same, and for that purpose may have the assistance of the whole police force; and it shall be the duty of the mayor, before whom any such prohibited gaming table or gaming device is brought, to cause the same to be destroyed by burning or otherwise; provided, that if at any time the mayor shall, after request from the board of commissioners, either refuse or for three days after notice fail to perform the duties imposed upon him by this section or by sections 1920, 1921, and 1922, the duty therein prescribed and the powers therein conferred upon the mayor shall devolve upon the board, and the president of the board shall order the superintendent of police forthwith to execute the requirements of the above named section, and refusal or failure to execute such order shall require his removal by the commissioners.

SECTION 2. That sections 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922 and 1923 of the Revised Statutes as amended February 27, A.D 1880, (vol. 77, Ohio Laws, pages 23 to 35), as amended April 15, 1882, (79 O.L., 133), and as amended April 3, 1885, (82 O.L, 101), be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 30, 1886.

[House Bill No. 269.]

AN ACT

To amend sections 16, 5225, 5573, 5701 and 6203 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State o Ohio*, That sections 16, 5225, 5573, 5701 and 6203 of the Revised Statutes of Ohio are so amended as to read as follows:

Official seals.

SEC. 16. All official seals shall have engraved thereon the coat of arms of the state, as described in the preceding section. The great seal of the state shall be two and one-half inches in diameter, and shall be surrounded by these words: "The great seal of the state of Ohio." The seal of the supreme court shall be two and one-half inches in diameter, and shall be surrounded by these words: "The supreme court of the state of Ohio." The seal of the circuit court, of the common pleas court, and of

the probate court of each county, shall each be one inch and three-fourths in diameter, and each, respectively, shall be surrounded by these words: "Circuit court, ——— county, Ohio;" "Common pleas court, ——— county, Ohio;" "Probate court, ——— county, Ohio," (*insert the name of the proper county*). The seals of all other courts of record shall be of the same size as the seal of the common pleas court, and each, respectively, shall be surrounded by the proper name thereof. The seal of the secretary of state shall be two inches and one-fourth in diameter, and shall be surrounded by these words: "The seal of the secretary of state of Ohio." The seal of the auditor of state shall be one inch and three-fourths in diameter, and shall be surrounded by these words: "The seal of the auditor of state of Ohio." The seal of the treasurer of state shall be one inch and three-fourths in diameter, and shall be surrounded by these words: "The seal of the treasurer of state of Ohio." The seal of each benevolent institution shall be one inch and three-fourths in diameter, and shall be surrounded by the proper name thereof. The seals of all other state, county, and municipal officers shall be one inch and three-fourths in diameter, and shall be surrounded by the proper name of the office. The seal of a notary public shall not be less than one inch and one-fourth in diameter, and shall be surrounded by these words: "Notarial seal, ——— county, Ohio," (*insert the name of the proper county,*) All the seals mentioned in this section, shall contain the words and devices mentioned herein, and no other.

Conduct of trials on appeal in circuit court.

SEC. 5225. The circuit court shall have jurisdiction of certain cases, as hereinafter provided, by appeal; and the trial therein shall be conducted in the same manner as in the common pleas court, and upon the same pleadings, unless amendments are permitted or ordered by the circuit court.

Injunctions, when and by whom granted.

SEC. 5573. The injunction may be granted at the time of commencing the action, or at any time afterward, before judgment, by the supreme court or a judge thereof, the circuit court or a judge thereof in his circuit, the common pleas court or a judge thereof in his district, or the probate court, in causes pending in such courts, respectively, upon its appearing satisfactorily to the court or judge, by affidavit of the plaintiff or his agent, that such plaintiff is entitled thereto. When the injunction has been allowed, and, during the pendency of the action in the common pleas court, has been vacated either by a judge thereof in vacation, or by the court, previous to the trial of the action, and an appeal is taken, after such trial, from the judgment or final order of the common pleas court to the circuit court, an injunction may be granted at any time before judgment or final order in the action in the circuit court, by the circuit court in which such action is pending or a judge thereof, upon its appearing satisfactorily to such court or judge, by affidavit of such party or his agent, that he is entitled thereto; and upon like proof, an injunction may also be allowed by the supreme court or the circuit court, or by a judge of either, as a temporary remedy during the pendency of a case on error or appeal in such courts, respectively.

Application for alimony *pendente lite.*

SEC. 5701. The court, or a judge thereof in vacation, may, on notice to the opposite party of the time and place of the application, grant alimony to the wife for her sustenance and expenses during the suit, and an allowance to her for the support of minor children dependent upon the husband for support, and not provided for by him, during the pendency of an action for divorce, or for alimony alone. When an appeal is taken by either party to the circuit court, that court, or a judge thereof in vacation, may grant like alimony and support during the pendency of the appeal, upon like notice.

Parties defendant.

Any person or corporation having possession or control of, or claiming any interest in, any property, real or personal, of the husband, out of which the wife seeks alimony, may be made a party defendant.

Injunction.

When it is made to appear to the court, or a judge in vacation, that a husband is about to dispose of or encumber his property, or any part thereof, so as to defeat the wife in obtaining alimony, such court or judge may allow an injunction to prevent the same, with or without bond, at discretion; and the wife may sell and assign the order for alimony or allowance, after the same is made.

Executors and administrators: appeals from final orders, etc.

SEC. 6203. Appeals shall be allowed from any final order, judgment, or decree of the probate court to the common pleas court, by any person against whom any such order, judgment, or decree may be made, or who may be affected thereby, in the same manner as is provided for appeals from the probate court to the common pleas court in other cases; appeals shall also be allowed from any order or judgment of the common pleas court in like manner, to the circuit court, in proceedings under the sections herein relating to the enforcement of orders of distribution, by any person against whom any such judgment or order may be rendered, or who may be affected thereby, to the same extent and in the same manner, as is provided for appeals from the common pleas court in other cases; and bills of exceptions may be taken and allowed upon any decision of the probate court, common pleas court, or circuit court, in such proceedings as in other cases.

Bills of exceptions.

Seals now in use not affected.

SECTION 2. Nothing in section 16 shall be so construed as to affect the validity of any official seal now in use, or which was in use between February 7, 1885, and April 16, 1885.

SECTION 3. That section 16 as amended April 16, 1885, (82 v. 121), 5225 and 5573, as amended February 7, 1885, (82 v. 16), 5701 and 6203 of the Revised Statutes of Ohio, are repealed.

SECTION 4. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 1, 1886.

[Senate Bill No. 64.]

AN ACT

To amend section 3573 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3573 of the Revised Statutes of Ohio be so amended as to read as follows:

Appropriation of land by cemetery associations.

SEC. 3573. If it be necessary to acquire any lands by appropriation, such proceedings shall be taken therefor as are provided for the appropriation of property to the use of corporations; but no lands shall be so appropriated until the probate court is satisfied that suitable premises cannot be obtained by contract upon reasonable terms, and no lands shall be appropriated upon which there is any dwelling house, barn, stable, or other farm buildings, or upon which there is any orchard or nursery, or any valuable mineral or other medicinal spring, or any well actually yielding oil, or salt water, unless the same shall adjoin a cemetery already located and used, on the same or opposite side of a public highway; nor shall any land be appropriated, nor any cemetery located, whether it is being established by an association incorporated for cemetery purposes, or by benevolent or religious societies, within two hundred yards of any dwelling house, unless the owner of such dwelling house gives his consent, or unless the entire tract be so appropriated as a necessary addition to or enlargement of a cemetery already located and used; but in cities of the third and fourth grade of the second class, where the cemetery lies within a municipal corporation, the association may, without such consent, appropriate property within one hundred feet, or the width of a street, of any dwelling house.

SECTION 2. That said section 3573, as amended May 1, 1885, (82 v. p. 217), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 2, 1886.

[Senate Bill No. 67.]

AN ACT

To amend section 4889 of the Revised Statutes of Ohio, as amended February 16, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4889 of the Revised Statutes, as amended February 16, 1886, be amended so as to read as follows:

Townships in certain counties made road districts for care of free roads.

SEC. 4889. Each township in the counties of Belmont, Brown, Butler, Carroll, Champaign, Clinton, Columbiana, Cuyahoga, Darke, Delaware, Erie, Fayette, Franklin, Geauga, Greene, Hamilton, Henry, Licking, Lucas, Madison, Montgomery, Mus-

kingum, Ottawa, Preble, Ross, Shelby, Stark, Summit, Trumbull, Tuscarawas, Vinton, Washington, Warren, and Wayne, in which any such free road is located, shall be a road district, for the care and maintenance thereof.

SECTION 2. Said section 4889, as amended February 16, 1886, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 2, 1886.

[House Bill No. 444.]

AN ACT

To supplement section 1429 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to section fourteen hundred and twenty-nine of the Revised Statutes of Ohio, with sectional numbering as follows:

Payments to county treasurer by lessee of land in original surveyed township 11, R. 14, Ohio company's purchase.

SEC. 1429*a*. The lessee of any land, held under such lease, and situate in original surveyed township number eleven, of range number fourteen of the Ohio company's purchase, or his assignee, on executing his release as aforesaid, shall forthwith pay to the treasurer of the county in which said land is situated, one-twelfth of the valuation thereof, and take the treasurer's receipt therefor; and the balance of said valuation shall be paid in annual installments of one twelfth of the whole valuation per year, with annual interest on all unpaid portions thereof up to the time of payment; and the auditor, on receiving the treasurer's receipt for said final installment, shall give to said lessee, or his assignees, a certificate containing the name of the lessee, or his assignee, a description of the premises, the number, amount, and the time of payment of the subsequent installments, and that said lessee, his heirs or assigns, on the punctual payment of the sums still due, with annual interest up to the time of payment, shall be entitled to receive a final certificate from such auditor; provided, that such lessee shall produce to the auditor, the cerificate of the proper officer that all rents due on such premises under such lease, have been paid up to the time of surrendering the same.

SEC. 1429*b*. That said original section number 1429 shall be inoperative as to such lands held under lease in said township number eleven, range number fourteen, of the Ohio company's purchase.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T. P. KENNEDY,
President of the Senate.

Passed April 2, 1886.

[House Bill No. 10.]

AN ACT

To amend sections 63, 64 and 65 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 63, as amended March 12, 1885 (82 v. 81), 64 and 65 of the Revised Statutes of Ohio are so amended as to read as follows:

Reports of State officers and institutions: number to be printed.

SEC. 63. There shall be printed, in pamphlet form, the number hereinafter stated of each of the annual reports of the following officers and boards:

Secretary of state, including statistics: For the secretary, five thousand copies; for each member of the general assembly, one hundred and twenty copies.

Auditor of state, including detailed statement of receipts and disbursements: For the auditor, nine hundred copies; for each member of the general assembly, ten copies.

Treasurer of state: For the treasurer, three hundred copies; for each member of the general assembly, five copies.

Sinking fund commissioners: For the commissioners, two hundred copies; for each member of the general assembly, five copies.

Attorney-general: For the attorney-general, two hundred copies; for each member of the general assembly, five copies.

Commissioner of common schools: For the commissioner, ten thousand copies; for each member of the general assembly, one hundred copies; for each board of county school examiners, one hundred copies for distribution among teachers, boards of education, and special school boards.

Commissioners of the state library: For the commissioners, four hundred copies; for each member of the general assembly, five copies.

Supervisor of public printing: For the supervisor, two hundred copies; for each member of the general assembly, five copies.

Commissioner of railroads and telegraphs: For the commissioner, one thousand copies; for each member of the general assembly, five copies; each copy to contain a correct railroad map of the state; of railroad maps mounted on pasteboard, for each member of the general assembly, ten copies.

Commissioners of fisheries: For the commissioners, five hundred copies; for each member of the general assembly, five copies.

State inspector of oils: For the inspector, three hundred copies; for each member of the general assembly, five copies.

Adjutant-general: For the adjutant-general, six hundred copies; for each member of the general assembly, five copies.

Board of public works: For the board, three hundred copies; for each member of the general assembly, five copies.

Warden and directors of the penitentiary: For the warden and directors, five hundred copies; for each member of the general assembly, five copies.

Institution for the education of the deaf and dumb: For the institution, one thousand copies; for each member of the general assembly, ten copies.

Institution for the education of the blind: For the institution, five hundred copies; for each member of the general assembly, five copies.

Columbus asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Athens asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Dayton asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Cleveland asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Longview asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Boys' industrial school: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Girls' industrial home: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Institution for idiotic and imbecile youth: For the institution, one thousand copies; for each member of the general assembly, five copies.

Board of state charities: For the board, two thousand copies; for each member of the general assembly, five copies.

Soldiers' and sailors' orphans' home: For the board of trustees, one thousand copies; for each member of the general assembly, five copies.

Ohio state university: For the trustees and officers, five thousand copies; for each member of the general assembly, five copies.

Inspector of mines: For the inspector, twenty-five hundred copies; for each member of the general assembly, twenty-five copies.

Commissioner of labor statistics: For the commissioner, twenty-five hundred copies; for each member of the general assembly, fifty copies.

Superintendent of insurance: For the superintendent, of the fire insurance report, two thousand copies; of the life insurance report, twelve hundred copies; for each member of the general assembly, of the fire insurance report, ten copies; of the life insurance report, five copies.

Meteorological bureau: For the board of directors, one thousand copies; for each member of the general assembly, five copies.

Inspector of shops and factories: For the inspector, four thousand copies; for each member of the general assembly, ten copies.

Forestry bureau: For the board of directors, two thousand copies; for each member of the general assembly, twenty copies.

State board of agriculture: For the board, five thousand copies; for each member of the general assembly, one hundred and thirty copies.

Reports printed in German language.

The report of the secretary of state, of the commissioner of labor statistics, of the inspector of shops and factories, and of the state board of agriculture, shall also be printed in the German language; and the secretary of state shall ascertain from each member of the general assembly how many of the copies to which he is entitled, he wishes in the German language, and the aggregate number so determined shall be printed in German and distributed to the members of the general assembly accordingly.

Transportation of reports to members of general assembly.

The several reports furnished to members of the general assembly shall be boxed and directed to the members in care of the county auditor of the county where they respectively reside, unless the member shall otherwise direct; and the charges for transportation of such reports shall be paid in the same manner as is provided by law for the distribution of laws and journals.

Binding of reports.

SEC. 64. The report of the secretary of state, commissioner of common schools, superintendent of insurance, commmissioner of railroads and telegraphs, state board of agriculture, and the auditor of state's report, shall be bound in muslin and properly lettered on the back; and all other reports mentioned in section 63, shall be bound in brochure covers, unless otherwise ordered by joint resolution.

Printing of executive messages and inaugural addresses.

SEC. 65. All regular messages of the governor, and all inaugural addresses of the governor-elect, shall be printed in pamphlet form, for the governor delivering such messages or addresses, five hundred copies; for each member of the general assembly, ten copies, without any order by either or both houses for the printing thereof.

SECTION 2. That sections 63, as amended March 12, 1885 (82 v. 81), 64 and 65 of the Revised Statutes of Ohio are repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed April 6, 1886.

[Senate Bill No. 169.]

AN ACT

Making appropriations for legislative purposes for the last three quarters of the fiscal year ending November 15, 1886, and the first quarter of the fiscal year ending February 15, 1887.

Partial appropriation for general assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby are appropriated out of any moneys in the general revenue fund, not otherwise appropriated, the following sums, for the purposes hereinafter specified, to-wit:

Legislature:

For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms and employes, eighty-five thousand dollars ($85,000.)

Senate contingent expenses, one thousand dollars ($1,000.)

House contingent expenses, one thousand dollars ($1,000.)

Senate clerk's contingent expenses, fifty dollars ($50.)

House clerk's contingent expenses, one hundred dollars ($100.)

For Frederick Blenkner, third assistant sergeant-at-arms of the house, for taking charge of the senate chamber and hall of the house, and committee rooms after the adjournment of the general assembly in the spring of 1886, and taking care of the same until the meeting of the general assembly in January, 1887, and preparing the same for said meeting, and for taking charge of the bill-books and other property of the members as requested by them, seven hundred and twenty dollars ($720), to be paid to him at the rate of three dollars ($3) per day, on the warrants of the auditor of state. For an assistant for said Frederick Blenkner, in the performance of the foregoing duties, at the rate of two dollars per day, when by him necessarily employed, four hundred dollars ($400), to be paid to said assistant on the warrants of the auditor of state; provided, that the moneys appropriated in this section shall not be used to pay liabilities or deficiencies existing prior to February 15, 1886.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN.
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 6, 1886.

[Senate Bill No. 106.]

AN ACT

To amend sections 1804, 1808 and 1809 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1804, 1808 and 1809 of the Revised Statutes of Ohio be amended so as to read as follows:

Clerk of police court; his powers.

SEC. 1804. The clerk of the police court shall have power, when an affidavit is filed with him for a peace warrant, search warrant, or charging any person with the commission of an offense, to issue a warrant under seal of said court to arrest the accused or search the place described; to admit to bail any person accused of a misdemeanor or violation of an ordinance, for his appearance at the next setting of the police court or mayor, as the case may be; and the bond given to continue until the case is finally disposed of; and also to admit to bail any person accused of a felony, when the amount of bail has been fixed by the court or mayor, as the case may be; to appoint one or more deputies, to be approved by the council, to administer oaths and to perform

all other things which may be performed by the clerk of the court of common pleas in like cases.

His bond; salary.

SEC. 1808. He shall give such bonds, with sureties, as may be required by the council and county commissioners, and shall receive for his services in city cases a fixed salary to be prescribed by ordinance of the council, of not less than twelve hundred dollars nor more than two thousand dollars per year, and for State cases such further allowance as the county commissioners may deem proper, but not exceeding one thousand dollars per year.

Deputy; salary; bond.

SEC. 1809. A deputy clerk of the police court may perform any duty of the principal; he shall receive such compensation as the council shall prescribe, but not exceeding fifteen nor less than seven hundred dollars per year; and such further compensation in cities of the first class of the second grade as the county commissioners shall determine, but not exceeding five hundred dollars per year; and the principal may take from him an undertaking, with sureties, for the faithful performance of such official duties.

SECTION 2. That original sections 1804, 1808 and 1809 be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 6, 1886.

[House Bill No. 66.]

AN ACT

To prescribe the manner of selling the sulphate and other preparations of morphine in this State and for other purposes.

Morphine: by whom and how to be sold.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall not be lawful for any person, other than a wholesale druggist or other dealer in drugs and medicine, to sell or offer for sale at wholesale, or for any person other than a registered pharmacist or a registered assistant pharmacist, to sell or offer for sale at retail, morphine or any of its salts, in this State, and it shall not be lawful for such persons to sell or offer for sale morphine or any of its salts in any bottle, vial, envelope or other package, unless the same shall be wrapped in a scarlet paper or envelope and all bottles or vials used for the above purpose shall contain not more than one drachm each and shall have in addition to said scarlet wrapper, a scarlet label lettered in white letters, and the same must be upon both vial and wrapper when vials are used, plainly naming the contents of said bottle, and further, that no person shall have the right to change any preparation of morphine from its original package to any other receptacle whatever for the purpose of retailing or dispensing therefrom, but it must be retailed or dispensed only from the original package with scarlet wrapper and scarlet label as aforesaid.

Penalty.

SECTION 2. That any one violating the provisions of the above section, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten nor more than fifty dollars, at the discretion of the court, for each and every violation of the preceding section.

SECTION 3. That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after September 1st, 1886.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[Senate Bill No. 130.]

AN ACT

To amend section 4758 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4758 of the Revised Statutes of Ohio be so amended as to read as follows:

When and where commissioners may build turnpikes.

SEC. 4758. The county commissioners of any county, when they become satisfied that the public interests of their county demand and justify special action for the improvement of the roads therein, may appoint three disinterested freeholders of their county as commissioners, to view, survey and locate one or more roads, beginning at and leading from the county seat of the county, or such other and eligible points as may be deemed proper, and running by such direct and eligible route as they may find best for the public convenience, and terminating at any point within or at the county line; but they are not authorized or required to construct any such road within the corporate limits of the town or city where the county seat is located, when according to the last federal census, more than one thousand inhabitants are contained in such corporate limits; and for the purpose of improving and repairing those streets in such towns or cities as are a continuation through the same, of the roads heretofore improved under the provisions of this section, the county commissioners shall cause to be expended, in the manner prescribed by law for repairing such roads, so much of the tax collected therein for turnpike purposes as may be necessary to keep such streets in good repair.

Repairs by commissioners of streets in municipalities.

SECTION 2. That said original section 4758 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[House Bill No. 284.]

AN ACT

To amend section 897 of the Revised Statutes of Ohio, as amended May 4, 1885. (82 O. L., page 246.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 897 of the Revised Statutes be so amended as to read as follows:

Compensation of county commissioners.

SEC. 897. Each county commissioner shall be allowed three dollars for each day that he is employed in his official duties, and five cents per mile for his necessary travel for each regular or called session, not exceeding one session each month, or twelve in any one year, and five cents per mile when traveling within their respective counties on official business, to be paid out of the county treasury on the warrant of the county auditor, except in counties in which, by the last federal census, the population amounted to one hundred and ninety-five thousand or upwards, and in counties in which, by the last federal census, the population amounted to not more than seventy-nine thousand nor less than sixty-seven thousand, in which counties such commissioners shall be entitled to receive a salary at the rate of ($2,000) two thousand dollars per annum, and counties having by the last federal census a population of eighty-six thousand seven hundred and ninety-seven, and no more, shall have a salary at the rate of twelve hundred dollars per annum each and necessary traveling expenses when traveling outside of the county on official business. Each commissioner in all other counties except those having, by the last federal census, a population of one hundred and ninety-five thousand or upwards, and those having by the last federal census a population of eighty six thousand seven hundred and ninety-seven (86,797), and no more, for his services, when necessarily engaged in attending to the business of the county pertaining to his office under the direction of the board, other than in attending regular or called sessions of the board, and when necessary to travel on official business out of his county, shall be allowed in addition to his compensation and mileage as hereinbefore provided, any other reasonable and necessary expense actually paid in the discharge of his official duty, and each commissioner shall present an itemized statement of his account [for] per diem, mileage, services and expenses as aforesaid, which, before it is allowed by a full board, shall be certified to by the prosecuting attorney of the county, and approved by the probate judge thereof.

SECTION 2. Said original section 897 as amended May 4, 1885, is hereby repealed; and this act shall take effect on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[House Bill No. 387.]

AN ACT

To authorize the sheriff in certain counties to appoint a turnkey for the county jail.

Authorizing sheriff of Butler county to appoint turnkey for jail.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in counties having a population, at the last federal census of forty-two thousand five hundred and eighty (42,580), and no more, the sheriff may appoint a turnkey for the county jail whenever, in his opinion, the same shall be necessary, which appointment shall be in writing and shall be approved by the judge of the court of common pleas, and shall be filed with the county commissioners, and the person so appointed turnkey shall receive such compensation as the sheriff shall determine, not exceeding two dollars per day, which shall be certified at the time of the appointment by the sheriff to the county commissioners, who shall thereafter pay the same monthly out of any county funds applicable for that purpose.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[House Bill No. 418.]

AN ACT

To amend section 4151 of the Revised Statutes of the State of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand one hundred and fifty-one be amended so as to read as follows:

Chattel mortgages: where to be deposited.

SEC. 4151. The instruments mentioned in the last section shall be deposited with the township clerk of the township where the mortgagor resides at the time of the execution thereof, if a resident of the State, and if not such resident, then with the clerk of the township in which the property so mortgaged is situated at the time of the execution of the instrument; but when the mortgagor is a resident of a township where the office of county recorder is kept, or when the mortgagor is a resident of a township entirely merged in a city or incorporated village in which the office of county recorder is kept, or when he is a non-resident of the State, and the property is within such township, the mortgage shall be filed with the county recorder.

SECTION 2. That section 4151 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[House Bill No. 435.]

AN ACT

To amend section 2 of an act entitled "an act to amend section two of an act passed April 29, 1885, entitled an act to prevent fraud in canning fruits and vegetables," passed February 23, 1886, (83 v. 10 p.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2 of said act be so amended as to read as follows:

Labeling of "soaked" goods and cans of maple molasses

SEC. 2. That all soaked goods, or goods put up from products dried before canning, shall be plainly marked by an adhesive label, having on its face the word "soaked," in letters not less in size than two-line pica, of solid and legible type; and all cans, jugs, or other packages, containing maple syrup or molasses, shall be plainly marked by an adhesive label, having on its face the name and address of the person, firm, or corporation who made or prepared the same, together with the name and quality of the goods, in letters of the size provided in this section.

SECTION 2. That section 2 of the above mentioned act be and the same is hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[House Bill No. 320.]

AN ACT

To amend section 4015 of the Revised Statutes, and to repeal an act entitled an act to enable teachers and scholars of the public schools to attend decorations of soldiers' graves on the 30th day of May, passed April 13, 1882, (79 v. 87.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4015 of the Revised Statutes of Ohio be so amended as to read as follows:

Dismissal of school on holidays.

SEC. 4015. Teachers employed in the common schools may dismiss their schools, without forfeiture of pay, on the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the twenty-fifth day of December, and on any day set apart by proclamation of the president of the United States, or the governor of this State, as a day of fast or thanksgiving.

SECTION 2. That section 4015, and also the act of April 13, 1882, (79 v. 87; 3 Williams's Rev. Stats., 751), entitled "an act to enable teachers and scholars of the public schools to attend the decoration of soldiers' graves on the 30th day of May," are repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 9, 1886.

[House Bill No. 7.]

AN ACT

To amend sections 4947, 4977 as amended April 16, 1880, (77 v. 303), 4978, 4986 as amended March 26, 1883, (80 v. 77), 5330, 5363, 5368, 5866, 6723, 2890 and 2908 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That sections 4947, 4977 as amended April 16, 1880, (77 v. 303), 4978, 4986 as amended March 26, 1883, (80 v. 77), 5330, 5363, 5368, 5866, 6723, 2890 and 2908 of the Revised Statutes of Ohio are so amended as to read as follows:

Interpretation of words

SEC. 4947. In the interpretation of Part Third, unless the context shows that another sense was intended, the word "person" includes a private corporation; "writing" includes printing; "oath" includes affirmation; "of unsound mind" includes every species of mental deficiency or derangement; "bond" includes an undertaking; "and" may be read "or," and "or" read "and," if the sense requires it; words in the present include a future tense, and in the masculine gender include the feminine and neuter genders; and words in the plural include the singular, and in the singular include the plural number; but this enumeration shall not be construed to require a strict construction of other general words in this part.

Limitations on actions for recovery of realty.

SEC. 4977. An action for the recovery of the title or possession of real property, can only be brought within twenty-one years after the cause of such action accrues.

Saving to persons under disability.

SEC. 4978. If a person entitled to bring the action mentioned in section 4977, is, at the time the cause of action accrues, within the age of minority, of unsound mind, or imprisoned, such person may, after the expiration of twenty-one years from the time the cause of action accrues, bring such action within ten years after such disability is removed.

Other actions: rights saved to certain persons.

SEC. 4986. If a person entitled to bring any action mentioned in this sub-division, except for a penalty or forfeiture, is, at the time the cause of action accrues, within the age of minority, of unsound mind, or imprisoned, such person may bring such action within the respective times limited by this sub-division, after such disability is removed.

Judgments: rights of infants reserved.

SEC. 5330. It shall not be necessary to reserve in a judgment or order the right of a minor to show cause against it after attaining the age of majority; but in any case in which, but for this section, such reservation would have been proper, the minor may, within one year after arriving at the age of majority, show cause against such order or judgment.

Relief after judgment: limitations.

SEC. 5363. Proceedings to vacate or modify a judgment or order, for the causes mentioned in sub-divisions four, five, and seven, of section 5354, must be commenced within two years after the judgment was rendered, or order made; proceedings for the causes mentioned in sub-divisions three and six of the same section shall be commenced within three years, and in sub-division nine within two years, after the defendant has notice of the judgment; and under sub-division ten of the same section the proceedings may be commenced after the guilty party is convicted, if the conviction be within two years from the rendition of the judg-

ment; but persons within the age of minority, of unsound mind, or imprisoned, may commence such proceeding within the respective times limited by this section, after such disability is removed. Persons under disabilities.

SEC. 5368. An action to revive a judgment can only be brought within twenty-one years from the time it became dormant, unless the party entitled to bring such action was, at the time the judgment became dormant, within the age of minority, of unsound mind, or imprisoned, in which cases the action may be brought within fifteen years after such disability is removed. Revivor of judgment: limitation.

SEC. 5866. An action to contest a will or codicil shall be brought within two years after the same has been admitted to probate, but persons within the age of minority, of unsound mind, imprisoned, or absent from the State, may bring such action within two years after such disability is removed. Contest of will: limitation.

SEC. 6723. A proceeding to reverse, vacate, or modify a judgment or final order shall be commenced within two years after the rendition of the judgment or making of the final order, but persons within the age of minority, of unsound mind, or imprisoned, may commence such proceedings within two years after such disability is removed. Proceedings in error: limitation.

SEC. 2890. All lands and town lots sold for taxes at delinquent sale, may be redeemed at any time within two years after the sale thereof; but any lands sold for taxes, belonging to any person within the age of minority, of unsound mind, or imprisoned, may be redeemed at any time within two years after such disability is removed. Redemption of delinquent lands: limitation.

SEC. 2908. The county auditor in each county, on a sale being made by him, of a tract of land to any person, under this chapter, shall give to such purchas r a certificate of such sale; and if the land so sold be not an entire original tract, and the county auditor shall deem it necessary, such certificate shall be directed to the county surveyor of his county, requiring such surveyor to proceed at the request of the purchaser, his heirs, or assigns, to ascertain the boundaries of the tract of land so purchased, unless such tract is held in common with some other person, in either case, on producing or returning to the county auditor the certificate of sale, where the tract sold is an entire original tract, or where the tract of land so sold is held in common with some other person, or on producing the plat and certificate of the county surveyor, attached to a copy of the certificate of sale, the county auditor shall, on the purchaser, his heirs, or assigns, paying to him the sum of one dollar and twenty-five cents, execute and deliver to such purchaser, his heirs, or assigns, a deed therefor, in due form, which deed shall be prima facie evidence of title in the purchaser, his heirs, or assigns; provided, that it any land sold by virtue of this chapter, is the property of any person within the age of minority, of unsound mind, or imprisoned, such person may redeem the same within the time and in the manner prescribed by chapter seven of this title, with reference to the redemption of lands sold as delinquent; provided, that the sale of any tract or lot of land under the provisions of this chapter, on which the taxes have been regularly paid previous to such sale, is void; and the purchaser, his heirs, Certificate to purchaser of forfeited lands.

Survey.

Deed.

Redemption by persons under disabilities.

Rights of parties if taxes have in fact been paid.

or assigns, on producing the certificate of sale to the auditor of state, shall have his money refunded to him from the state treasury; and the auditor shall pay the same out of money appropriated for refunding taxes twice or improperly paid.

SECTION 2. That sections 4947, 4977 as amended April 16, 1880. (77 v. 303), 4978, 4986 as amended March 26, 1883, (80 v. 77), 5330, 5363, 5368, 5866, 6723, 2890, and 2908 of the Revised Statutes of Ohio, are repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 18.]

AN ACT

To amend section 7257 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7257 of the Revised Statutes of Ohio be so amended as to read as follows:

Arraignment of accused.

SEC. 7257. The accused shall be arraigned by the clerk of the court or his deputy reading to him the indictment, unless the accused by himself or his attorney waive the reading of the same, and he shall then be asked by the court whether he is guilty or not guilty of the offense charged.

SECTION 2. That said section 7257 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 65.]

AN ACT

To amend section 4365 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4365 of the Revised Statutes of Ohio, be so amended as to read as follows:

Hours constituting a day's work.

SEC. 4365. In all engagements to labor in any mechanical, manufacturing or mining business, a day's work, when the contract is silent upon the subject, or where there is no express con-

tract, shall consist of eight hours; and all agreements, contracts, or engagements in reference to such labor shall be so construed.

SECTION 2. That section 4365 is hereby repealed; and this act shall take effect on and after May 1, in the year 1886.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[Senate Bill No. 90.]

AN ACT

To create and establish a State board of health in the State of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor, with the advice and consent of the senate, shall appoint seven persons, who (with the attorney-general, who shall be ex-officio a member of said board) shall constitute the State board of health; provided, that the terms of office of the seven first appointed shall be so arranged that the term of one shall expire on the 13th day of December of each year, and the vacancies so created, as well as all vacancies occurring otherwise, shall be filled by the governor, with the advice and consent of the senate; and provided, also, that appointments made when the senate is not in session, may be confirmed at its next ensuing session.

Appointment of State board of health.

Terms of members; vacancies.

SECTION 2. The State board of health shall have the supervision of the interests of the health and life of the citizens of the State. They shall make careful inquiry in respect to the causes of disease, and especially the invasion or spread of any infectious or contagious, epidemic, or endemic disease, and investigate the sources of mortality, and the effects of localities, employments, conditions, ingesta habits, and surroundings on the health of the people; and shall investigate the causes of diseases occurring among the stock and domestic animals of the State, the methods of remedying the same by quarantine or otherwise, and shall gather information in respect to such matters, and kindred subjects for dissemination among the people. They shall advise officers of the government, or other State boards, in regard to the location, drainage, water supply, disposal of excreta, heating and ventilating of public buildings. They shall collect and preserve such information relating to forms of disease and death as may be useful in the discharge of the duties of said board. It shall be the duty of all local boards of health, health authorities and officials, officers of State institutions, police officers, sheriffs, constables, and all other officers and employes of the State, or any county, city or town thereof, to make and enforce such quarantine and sanitary rules and regulations as may be necessary to protect the public health, in so far as the success and efficiency of the board of health may depend thereon, and in the event of failure or refusal on the part of any member of said boards, or other officials or persons in this section mentioned to so act, he or they

General duties of board.

Penalty for non-feasance.

shall be subject to a fine of not less than fifty dollars upon first conviction, and upon a conviction of second offense of not less than one hundred dollars.

Vital statistics.

SECTION 3. The board of health shall have supervision of the State system of registration of births and deaths as hereinafter provided; they shall make up such forms and recommend such legislation as shall be deemed necessary for the thorough registration of vital and mortuary statistics throughout the State. The secretary of the board shall be the superintendent of such registration. The clerical duties and the safe-keeping of the bureau of vital statistics thus created shall be provided by the secretary of state.

Reports to board of contagious diseases.

SECTION 4. It shall be the duty of boards of health, health authorities or officials, and of physicians in localities where there are no health authorities or officials, to report to the State board of health, promptly upon discovery thereof, the existence of any one of the following diseases which may come under their observation, to-wit: Asiatic cholera, yellow fever, smallpox, scarlet fever, diphtheria, typhus and typhoid fever, and of such other contagious or infectious diseases as the State board may from time to time specify.

Penalties, how applied.

SECTION 5. All amounts recovered under the penalties herein provided, shall be appropriated to a special fund for the carrying out of the objects of this law.

Meetings of board; conduct of business.

SECTION 6. The first meeting of the board shall be within thirty days after their appointment, and thereafter in January and June of each year, and at such other times as the board shall deem expedient. There shall not be more than three called sessions of the board in [any] one year, and no session of the board shall continue longer than three days. The meeting in January of each year shall be in Columbus. A majority shall constitute a quorum. They shall choose one of their number to be president, and they may adopt rules and by-laws for their government, subject to the provisions of this act.

Secretary of board; his salary; compensation of members.

SECTION 7. They shall elect a secretary, who shall perform the duties prescribed by the board and by this act, and who shall, upon cause, be removed by a majority vote; he shall receive a salary, not to exceed sixteen hundred dollars ($1600) per annum, which shall be fixed by the board; he shall also receive his traveling and other expenses incurred in the performance of his official duties. The other members of the board shall receive five dollars per day, and their traveling and other expenses while employed on business of the board. The president of the board shall, quarterly, certify the amount due the members, and on presentation of his certificate the auditor of state shall draw his warrant on the treasurer for the amount.

Annual report of board.

SECTION 8. It shall be the duty of the board of health to make an annual report, through their secretary or otherwise, in writing, to the governor of the State, on or before the first day of November of each year, and such report shall include so much of the proceedings of the board, and such information concerning vital statistics, such knowledge respecting diseases, and such instructions on the subject of hygiene, as may be thought useful

by the board for dissemination among the people, with such suggestions as to legislative action as they may deem necessary.

Appropriation for salary of secretary and expenses of board.

SECTION 9. The sum of five thousand dollars ($5,000), or so much thereof as may be necessary, is hereby appropriated to pay the salary of the secretary, meet the contingent expenses of the office of the secretary, and expenses of the board, and all costs of printing, which, together, shall not exceed the sum hereby appropriated; said expenses shall be certified and paid in the same manner as the salary of the secretary.

Rooms.

SECTION 10. The adjutant-general shall provide rooms suitable for the meetings of the board, and office room for the secretary.

SECTION 11. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[Senate Bill No. 132.]

AN ACT

Authorizing certain cities of the second class to levy a tax for the maintenance of free public libraries and reading rooms.

Canton free public library; tax therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any city of the fourth grade of the second class having by the last federal census a population of not less than 12,258, and not more than 13,000, and in which city there is established and maintained by a public library association, not organized for profit, a public library free to all the inhabitants of such city, and containing not less than 2,000 volumes, the city council may levy an annual tax not exceeding one-tenth of a mill on the taxable property of such city, for that purpose, to be called the public library fund, which shall be certified to the county auditor of the county, and placed on the tax duplicate of the county and collected as other taxes.

Tax, how to be paid and expended.

SECTION 2. Said tax when so levied and collected, shall be paid over by the treasurer of such city to the treasurer of said association, to be used to pay for the services of librarian and other necessary expenses of keeping up said library and reading room in connection therewith, not including the purchase of books or any property which shall belong to said association, but a portion of said fund may be used for current subscriptions to magazines, periodicals and newspapers for said reading room.

Accounts; continuance of power to levy such tax.

SECTION 3. Said city council shall require such association to render an account of any and all taxes so received, and power to levy a tax under this act shall exist only so long as such associ-

ation shall keep up and maintain, in a public place in such city, a free public library for the inhabitants thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 141.]

AN ACT

Supplementary to section 2739, Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 2739 of the Revised Statutes of Ohio, in the sectional numbering as herein provided:

Penalty for violating rules for valuing personal property.

SEC. 2739a. Any additions made to the tax-list and duplicate by any board of equalization or county auditor shall be, as to valuations, in strict accordance with the provisions of section 2739; and any officer willfully violating any of the provisions of section 2739 or of this section shall be deemed guilty of a misdemeanor, and on conviction thereof, before any court of competent jurisdiction, shall be sentenced by the court, to pay a fine of two hundred dollars, and it is hereby made the duty of the prosecuting attorney of the county to enforce the provisions of this section.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 145.]

AN ACT

To amend sections 3212 and 3213 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 3212 and 3213 be amended so as to read as follows:

Lien for care of animals.

SEC. 3212. A person who feeds or furnishes food and care, or either, for any horse, foal, filly, gelding, cattle, sheep, swine, mule or ass by virtue of any contract or agreement with the owner thereof, express or implied, shall have a lien therefor, to secure the payment of the same, upon such animal.

SEC. 3213. A person feeding or furnishing food and care, or either, for any horse, foal, filly, gelding, cattle, sheep, swine, mule or ass, shall retain such animal for the period of ten days, at the expiration of which time, if the owner does not satisfy such lien, he may sell such animal at public auction after giving the owner ten days' notice of the time and place of sale in a newspaper of general circulation in the county where the food was furnished or the care bestowed; and after satisfying the lien and cost that may accrue, any residue remaining shall be paid to the owner. Sale of animal to satisfy claim.

SECTION 2. Sections 3212 and 3213 of the Revised Statutes of Ohio are hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 179.]

AN ACT

To amend section 6831 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6831 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 6831. Whoever maliciously burns, or attempts to burn, any dwelling-house, kitchen, smoke-house, shop, office, barn, stable, store-house, ware-house, malt-house, still-house, mill, pottery, or any other building, the property of another person, or any church, meeting-house, court-house, work-house, school house, jail, or the Ohio penitentiary, or any shop, store-house, or building within the inclosed walls thereof, or any other public building, or any ship or other watercraft, or any toll-bridge, or any part thereof, erected across any river, wholly or partly within this State, or any other bridge erected across any of the waters within this State, or sets fire to, or attempts to set fire to, anything in or near to any such building, watercraft, or bridge, with intent to burn the same, shall, if the value of any such building, watercraft, or bridge burned, attempted, or intended to be burned, is fifty dollars or more, be imprisoned in the penitentiary not more than twenty years, or if the value is less than that sum, be fined not more than two hundred dollars, or imprisoned not more than thirty days, or both. Arson. Penalty.

SECTION. 2. Said original section 6831 is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 222.]

AN ACT

To amend section 2781 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2781 of the Revised Statutes of Ohio be amended so as to read as follows:

Action of auditor upon false tax return or evasion of return.

SEC. 2781. If any person whose duty it is to list property or make [a] return thereof for taxation, either to the assessor or county auditor, shall, in any year or years make a false return or statement, or shall evade making a return or statement, the county auditor shall, for each year, ascertain, as near as practicable, the true amount of personal property, moneys, credits, and investments that such person ought to have returned or listed, for not exceeding [the] five years next prior to the year in which the inquiries and corrections provided for in this and the next section are made; and to the amount so ascertained, for each year, he shall add fifty per centum, multiply the sum or sums thus increased by said penalty by the rate of taxation belonging to said year or years, and accordingly enter the same on the tax lists in his office, giving a certificate therefor to the county treasurer, who shall collect the same as other taxes.

SECTION 2. That this act shall take effect and be in force from and after its passage; and said original section 2781 is hereby repealed.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 255.]

AN ACT

To amend section 3906 of the Revised Statutes of Ohio, as amended January 20, 1885 (O. L., v. 82, p. 6.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3906 of the Revised Statutes of the State of Ohio as amended January 20, 1885, (82 v. 6,) be amended so as to read as follows:

Conduct of election of members of board of education in city districts, second class.

SEC. 3906. If the boundaries of the district and [the] city are identical, or, if territory has been detached from the city and attached to another district, the election shall be conducted exclusively by the judges and clerks of the city election, but electors residing within the bounds of such detached territory shall not vote thereat; but if territory outside the city limits is attached to the district, an election shall also be held for the same purpose in the township from which it was detached, and conducted by the judges and clerks of the township election, but only electors residing within the bounds of such territory shall vote thereat; the election shall be held at the same time and places as the elections for city or township officers shall be held; the

names of candidates for such membership shall be upon separate tickets, and all such tickets voted shall be deposited in separate ballot-boxes, which shall be provided by the board of education; separate poll-books of the election shall be kept, and returns of the election shall be made to the clerk of the city which constitutes the district.

SECTION 2. That section 3906 of the Revised Statutes as amended January 20, 1885, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 270.]

AN ACT

To amend section 5772 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5772 of the Revised Statutes of Ohio be amended to read as follows:

SEC. 5772. The guardian of a minor, idiot, imbecile, or insane person may, on behalf of his ward, do and perform any act, matter or thing, respecting the partition of an estate which such minor, idiot, imbecile, or insane person, could do under this chapter, if he were of age and of sound mind; and he may elect on behalf of such ward to take the estate when the same cannot be divided without injury, and make payment therefor on behalf of such ward.

Partition: power of guardian to act for ward.

SECTION 2. That original section 5772 be and the same is hereby repealed; and this act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 355.]

AN ACT

To amend section 2932 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2932 of the Revised Statutes of Ohio, as amended March 9, 1880, (77 v. 51), is so amended as to read as follows:

SEC. 2932. Judges of election for each township precinct shall be constituted and chosen as follows:

Judges of election for township precincts, how constituted and chosen.

1. In every township in which no person received any votes at the preceding April election for the office of trustee, except the person elected, and in every township in which the trustees are not all members of the same political party, the trustees shall be the judges.

2. In every other township, except townships divided into election precincts, the two trustees having the shortest time to serve, and the person who received the highest number of votes at the preceding April election for the office of trustee and was not elected, shall be judges.

3. In every township containing more than one election precinct, each trustee shall act as judge in the precinct in which he resides, unless they all reside in the same precinct, when the two only can so act therein, and the other trustee shall act as judge in any other precinct; and additional judges, so that there shall be three judges at each precinct, shall be chosen as provided in section 2935; and the clerk of every township shall make and preserve a record of the names of all persons chosen judges of election in such township, and the dates when chosen.

SECTION 2. That section 2932, as amended March 9, 1880 (77 v. 51), is repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[Senate Bill No. 128.]

AN ACT

To amend section 3987 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3987 of the Revised Statutes of Ohio as amended March 19, 1885, (82 v. 86), be so amended as to read as follows:

School-houses.

SEC. 3987. The board of education of any district is empowered to build, enlarge, repair and furnish the necessary school-houses, purchase or lease sites therefor, or rights of way thereto, or rent suitable school-rooms, and make all other necessary provisions for the schools under its control. Directors of sub-districts shall, under such rules and regulations as the township board of education may prescribe, provide fuel for schools, build, enlarge, repair and furnish school-houses, purchase or lease sites therefor, rent school-houses, build and keep in good repair all fences enclosing such school houses, plant shade and ornamental trees on the school grounds, and make all other provisions necessary for the convenience and prosperity of the schools within their sub-districts, and the township board shall be held responsible, in its corporate capacity, for all contracts made by such directors, when they are made in accordance with the rules and regulations of the township board, or any resolution thereof.

SECTION. 2. That section 3987 of the Revised Statutes, as amended March 19, 1885, (82 v. 86), and also the act of April 4, 1884, (81 v. 105), entitled "an act to supplement section 3987 of the Revised Statutes of Ohio," are repealed.

SECTION 3. This act shall take effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 17, 1886.

[Senate Bill No. 71.]

AN ACT

To amend section 4812 of the Revised Statutes of Ohio, as amended April 19, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4812 of the Revised Statutes of Ohio, as amended April 19, 1883, be so amended as to read as follows:

Free turnpikes: completion of.

SEC. 4812. The provisions of this chapter shall extend and be applicable to all free turnpike roads heretofore built, now in process of contruction, or hereafter to be contructed; and at any time when the county commissioners shall deem it necessary for the purpose of providing the means for completing the same, and liquidating any indebtedness incurred on account of such road, they may continue the tax originally levied for constructing the same, for a period not exceeding, in the aggregate, ten years, in addition to the levy made on petition, as provided for in section 4777.

SECTION 2. That section 4812, as amended April 19, 1883, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P KENNEDY,
President of the Senate.

Passed April 17, 1886.

[Senate Bill No. 143.]

AN ACT

To provide for the sale of certain property belonging to cities of the first grade of the first class.

Sale of part of Cincinnati park property.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That if any part of the park property of any city of the first grade [of the first class] shall be separated from the main body of such property by a public street or avenue, the board of public works of such city may decide that such part so cut off from the main body

of said park property is no longer needed for park or municipal purposes.

Notice of sale.

SECTION 2. Whenever the board of public works of such city shall so decide, the trustees of the sinking fund of such city may, on giving not less than fifteen days' notice by publication in two or more daily newspapers of general circulation in such city, receive bids at public auction or in writing for the sale of such property, or any part thereof, on such terms and for such time as they may deem for the best interest of such city, with power to reject any and all bids, and they may, within twenty days after the end of such publication, sell any part of such property at a rate not less than the maximum offered for it, without a readvertisement.

Application of proceeds; conveyances

SECTION 3. All funds arising from the sale such property, or any part thereof, by said trustees, shall be applied to the payment of interest and principal of the bonded debt of the city to which such property belongs; conveyances shall be executed by the mayor of such city in the usual form, and mortgages shall be made to the president of the trustees of the sinking fund to secure unpaid purchase money.

SECTION 4. This act shall take effect from the date of its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 17, 1886.

[House Bill No. 138.]

AN ACT

To amend section 5349 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5349 of the Revised Statutes of Ohio be so amended as to read as follows:

When plaintiff shall not recover costs

SEC. 5349. If it shall appear that a justice of the peace has jurisdiction of an action, and the same has been brought in any other court, and the judgment is less than one hundred dollars, unless the recovery be reduced below that sum by counter-claim or set off, each party shall pay his own costs; and in all actions for libel, slander, malicious prosecution, assault, assault and battery, false imprisonment, criminal conversation or seduction, actions for nuisance, or against a justice of the peace for misconduct in office, when the damage assessed is under five dollars, the plaintiff shall not recover costs.

SECTION 2. Said original section 5349 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 17, 1886.

[Senate Bill No. 57.]

AN ACT

To amend section 4757 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4757 of the Revised Statutes of Ohio, be so amended as to read as follows:

SEC. 4757. The trustees, at the time of authorizing such improvement, shall direct in their order at what point the materials therefor shall be taken, under the general laws in force for procuring materials for the improvement of public roads, which point shall be the nearest and most convenient to the place where the materials can be procured in the township; provided, that where a road is located in two townships, the material for the improvement thereof may be procured at the nearest and most convenient point in either township. Material for improvement of public roads.

SECTION 2. That said original section 4757 be and the same is hereby repealed

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[Senate Bill No. 133.]

AN ACT

To amend sections 994, 995 and 997, as amended January 31, 1881, and 2786 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 994, 995 and 997, as amended January 31, 1881, and 2786 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 994. In each county containing a city of the first grade of the first class, there shall be in addition to the board of county commissioners, a board of control, consisting of five members, one of whom shall be chosen on the first Tuesday after the first Monday in November, annually, and whose term of office shall commence on the first Tuesday in January next after his election, and continue five years. Hamilton county board of control.

SEC. 995. The members of such board shall, on the first Tuesday of January, annually, assemble and organize, and shall meet thereafter on the second and fourth Tuesday of each month; a majority of the whole number of members shall be necessary to constitute a quorum for the transaction of business, and all their proceedings shall be public; they shall determine the rules of their proceedings, and these shall, as far as possible, be in accordance with parliamentary law; they shall keep a journal of their proceedings, which shall be open at all proper times to the inspection of the public, and may compel the attendance of absent members in such manner as they prescribe; they shall elect from their own body a president, who shall preside at their meetings; and they may elect a president pro tempore. The members of Organization of board; meetings; conduct of business.

Clerk.

the board of control shall receive no compensation for their services; they shall elect a clerk, and assistant clerk, if necessary, at such salaries as they deem proper, but not to exceed the sum of eight hundred dollars per year, who shall keep a correct journal of all the proceedings of said board of control, and perform such other duties as are required by the regulations and rules of the board; said clerk shall hold his office until his successor is elected and qualified.

Oath of office; vacancies.

SEC. 997. The oath of office of each member of the board of control shall be taken before a judge of the court of common pleas, and filed in the office of the clerk of said court. In case of death, resignation or removal from office of a member of said board of control, the fact of such vacancy shall be certified by the president thereof to the court of common pleas, which shall appoint a judicious person and tax-payer to fill such vacancy, and the person so appointed shall hold his office until the next annual election in November.

Assessing real estate: division of counties and cities into districts.

SEC. 2786. The county commissioners of each county shall, at their June session, in the year one thousand eight hundred and eighty-nine, and every tenth year thereafter, divide their county into suitable and convenient districts, not more than the number of townships in their county; and [in] any county within the limits of which there is a city, the commissioners shall divide said city into districts, comprising within each not less than one ward nor more than five, and no township or ward shall be divided in making such districts, which district[s] shall be composed of contiguous territory; and the commissioners shall give notice by publication in some newspaper in the county, setting forth the boundaries of the districts; and the qualified electors of such district[s] shall, at the November election, in the year eighteen hundred and eighty-nine, and every tenth year thereafter, elect some citizen of such district, having the qualifications of an elector, as assessor of real property within such district; the judges of election shall keep a separate poll-book for the election of said assessor; and the returns thereof, duly certified as in other cases, shall be made to the county auditor, who, with the clerk of the court of common pleas and probate judge of the county, shall open the same and declare the result; and the auditor shall, within ten days after opening such returns, give notice to each of the persons elected of his election; and whenever the commissioners have failed to district their county at their June session, in accordance with the provisions of this section, it shall be their duty to district said county at any subsequent meeting of the board prior to the first Monday of April ensuing, and in such case the election shall be held on said first Monday of April.

Election of assessors.

Failure to district.

SECTION 2. That said sections 994, 995 and 997, as amended January 31, 1881, and 2786 of the Revised Statutes of Ohio are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[Senate Bill No. 147.]

AN ACT

To authorize the council of cities of the first class, second grade, to issue bonds for the purpose of paying the cost of land and buildings necessary for the establishment of a "City Farm School."

Cleveland: issue of bonds to establish "City Farm School."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the second grade of the first class, for the purpose of purchasing land, the erection of buildings thereon, for a "City Farm School," are hereby authorized to issue the bonds of the city for any sum not to exceed one hundred and fifty thousand ($150,000) dollars, which bonds may be made payable at any time not to exceed thirty (30) years from the issue thereof, and draw such rate of interest as the council may deem proper, not exceeding five (5) per centum per annum, payable semi-annually.

SECTION 2. Said bonds may be issued at such time or times, and in such amount or amounts as the convenience of the city may require, and shall have written or printed upon them the date of the law under which they were issued, and the words "City Farm School Bonds," and shall not be sold or negotiated for less than par, and the proceeds shall be applied exclusively to the above purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[House Bill No. 159.]

AN ACT

To amend and supplement an act entitled an act "to appropriate money to purchase lands upon which to erect a monument to the memory of the soldiers of Ohio, who died upon the battle-field of Gettysburg," passed May 4, 1885.

Appropriation for Gettysburg monuments.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in addition to the sum of five thousand dollars appropriated by the provisions of the aforesaid act, there is hereby appropriated out of any funds in the State treasury not otherwise appropriated, the sum of thirty-five thousand dollars, to be drawn and used as hereinafter provided.

Commission for purchase of grounds and erection of monuments.

SECTION 2. Said sum herein appropriated shall be payable to a commission consisting of the adjutant-general, secretary of state and auditor of state, to be by them used in meeting the expense of obtaining grounds and sites on the battle-field of Gettysburg, and for the location and erection thereon of suitable memorials and monuments, commemorative of the deeds of the soldiers from Ohio who fought on said battle-field, and also in procuring and erecting such memorials and monuments and in meeting the ex-

penses incident to the duty herein enjoined upon them, and in contributing to the Gettysburg memorial association such portion of said fund, as they may deem proper in aid of the objects of said memorial association.

Powers of adjutant-general.

SECTION 3. The power conferred upon the adjutant-general of Ohio by said act of May 4, 1885, to use and expend the said sum of five thousand dollars is hereby so modified and enlarged, as that he may use and expend the same for the same purposes, and with as full powers as they may the sum herein appropriated.

Duties enjoined on commission.

SECTION 4. In the execution of the trust hereby confided to the commission, they are authorized and enjoined to consult and avail themselves of the information, advice and judgment of the living members of the different military organizations from Ohio that took part in the battle of Gettysburg, and if they shall deem it practicable, to cause to be erected at least one memorial structure for each of said organizations, and at such points as they shall find to be most befitting the ends hereby sought to be accomplished.

Auditing of accounts; report.

SECTION 5. The commission is hereby authorized to audit, and out of the funds herein appropriated to pay the reasonable expenses of such members of the several Ohio military organizations as visited the battle-field of Gettysburg upon the invitation of the adjutant-general, not to exceed five hundred dollars, to enable him to execute the trust confided to him by said act of May 4, 1885. The adjutant-general shall also keep accurate account of all disbursements hereunder, and make full report thereof, and of the execution of their trust to the governor, on or before the 15th of November of each year during the continuance of said trust.

SECTION 6. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[House Bill No. 420.]

AN ACT

To authorize city councils of cities of the first grade of the second class to issue bonds for sewer purposes.

Columbus: issue of bonds for sewers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the first grade of the second class be and is hereby authorized and empowered, for the purpose of constructing main trunk sewers, to issue, from time to time, the bonds of such city for any sum not exceeding in the aggregate seventy-five thousand dollars above the amount of bonds for like purposes heretofore already issued by such city.

Time bonds shall run; interest, etc.

SECTION 2. Such bonds shall run for such length of time not exceeding thirty years, and shall bear such rate of interest, not exceeding six per centum per annum, and such interest shall be payable annually or semi-annually, as such council may determine. Such bonds shall be designated, issued and sold in all respects in [such] manner as is or may be prescribed by law for the designation, issuing and sale of bonds of such municipal corporation, and the proceeds of all sales thereof shall be applied exclusively to the purposes for which they are issued.

Tax for payment of such bonds.

SECTION 3. For the purpose of paying the principal and interest of any bonds which may be issued under the authority of this act as they mature, respectively, the city council of such city is hereby authorized and empowered to levy and collect, annually, such rate and amount of taxes on each dollar of valuation of taxable property in the corporation on the tax duplicate, not to exceed one-tenth of one mill, as the council may determine, additional in rate and amount to the aggregate rate and aggregate amount of all taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation, so that the maximum rate and amount of such taxes to be levied for such bonds so hereafter to be issued for such purposes, shall be one and two-tenths mills over and above and additional to the aggregate amount of all taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[House Bill No. 503.]

AN ACT

To change the time of holding the court of common pleas in Washington county, Ohio, for the year 1886.

Changing time of Washington common pleas court.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the time fixed by the judges of the 7th judicial district of Ohio for holding a term of the court of common pleas in Washington county on the second (2d) day of May A D. 1886, be changed so as to hold said term on the third (3d) day of May, A.D. 1886.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[Senate Bill No. 117.]

AN ACT

To amend section 7024 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7024 be so amended as to read as follows:

Sexual intercourse with female pupil

SEC. 7024. A male person over twenty-one years of age, who is superintendent, tutor or teacher in a private, parochial or public school, or a seminary or other public institution, or instructor of any female in music, dancing, roller skating, athletic exercise, or any branch of learning, who has sexual intercourse, at any time or place, with any female, with her consent, while under his instruction during the term of his engagement as superintendent, tutor or instructor, shall be imprisoned in the penitentiary not more than ten years nor less than two years.

Penalty.

SECTION 2. That said original section 7024 be and the same is hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed April 22, 1886.

[House Bill No. 226.]

AN ACT

To amend section 1653 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1653 [of the Revised Statutes] be so amended as to read as follows:

General powers of hamlets.

SEC. 1653 In addition to the powers specifically granted in this title, and subject to the exceptions and limitations in other parts of it, hamlets shall have the general powers enumerated in this section, and the trustees may provide by ordinance for the exercise and enforcement of the same:

1. To protect the property and persons of the inhabitants against injuries and destruction by fire, thieves, robbers, burglars, and persons violating the public peace.

2. To suppress riots, noise and disturbance, gambling, drunkenness, and indecent and disorderly assemblages and conduct.

3. To punish all lewd and lascivious behavior in the streets, alleys and other public places.

4. To suppress and restrain disorderly houses and houses of ill-fame.

5. To regulate and restrain ale, beer and porter houses or shops, and houses and places of notorious and habitual resort for tippling and intemperance.

6. To regulate taverns and other houses of public entertainment.

7. To regulate or restrain theatricals, exhibitions, and public shows, and all exhibitions of whatever name or nature, for which money is demanded or received; but public lectures on historic, literary or scientific subjects shall not come within the provisions of this section.

8. To prevent injury or annoyance from any thing dangerous, offensive or unhealthy, and to cause any nuisance to be abated.

9. To acquire real estate for public halls and school houses, and to erect the necessary buildings thereon.

10. To protect all public buildings and property within or owned by the corporation.

11. To provide public cemeteries, and for the improvement and protection thereof, and to regulate the burial of the dead.

12. To regulate auctioneering, and to regulate, license or prohibit the sale at auction of goods, wares and merchandise imported into the corporation for the purpose of being sold at auction.

13. To regulate the weighing and measuring of hay, wood, coal and other articles exposed for sale.

14. To regulate peddling, and to regulate, license or prohibit the sale by peddlers of all goods, wares and merchandise not of their own manufacture or production; but commercial travelers shall not come within the provisions of this section.

15. To restrain and prohibit the sale and exposure for sale of books, papers and periodicals of an obscene nature.

16. To provide for the comfort, convenience and safety, preserve the health and peace, promote the good order and prosperity, and improve the morals of the inhabitants of the corporation.

SECTION 2. Said original section 1653 is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[House Bill No. 263.]

AN ACT

To amend section 7015 of the Revised Statutes, as amended April 11, 1885, and to provide against the payment of wages in scrip, orders, etc., payable otherwise than in money.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7015 of the Revised Statutes be amended so as to read as follows:

Payment of employes in scrip, orders, etc.

SEC. 7015. It shall be unlawful for any person, firm, company or corporation to sell, give, deliver, or in any manner issue, directly or indirectly, to any person employed by him or it, in payment of wages due for labor, or as advances on the wages of labor not due, any scrip, token, draft, check or other evidence of indebtedness, payable or redeemable otherwise than in money;

Penalty.

any violation of the provisions of this section shall be punishable by a fine not less than twenty-five nor more than one hundred dollars, or imprisoment of not more than thirty days, or both; and the amount of any scrip, token, check, draft, order, or other evidence of indebtedness sold, given, delivered, or in any manner issued in violation of the provisions of this section, shall be recovered in money at the suit of any holder thereof against the person, firm, company or corporation selling, giving, delivering, or in any manner issuing the same; and any scrip, token, check, draft, order, or any other evidence of indebtedness issued in violation of the provisions of this section, and presented by the holder thereof, shall be taken as prima facie evidence in any court of the guilt or indebtedness of any person, firm, company or corporation selling, giving, delivering, or in any manner issuing the same, and for the purposes of this act, in case of a firm or corporation, the person selling, giving, delivering, or in any manner issuing said scrip, token, check, draft, order, or other evidence of indebtedness shall be the defendant to the criminal action, and the firm, company or corporation shall be held as the defendant in the civil action. Nothing in this section shall apply to or affect the right of any person, firm, company or corporation from giving orders on any store, or business house, or firm, in the business or profits of which he has no interest, directly or indirectly,

Civil action.

Evidence; party defendant.

SECTION 2. Section 7015 be and is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[House Bill No. 13.]

AN ACT

To amend section 6564 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6564 of the Revised Statutes of Ohio be so amended as to read as follows:

SEC. 6564 Upon the verdict being delivered to the justice, and before judgment rendered thereon, each juror shall be entitled to receive fifty cents per day, for each day's service as such juror, at the hands of the successful party, which shall be taxed in the costs against his adversary; when the jury shall not be able to agree upon a verdict, the same compensation shall be paid them by the party calling the jury, and the same shall be taxed in the cost bill against the losing party.

Justices of the peace: jury fees, and how paid.

SECTION 2. That said original section 6564 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[Senate Bill No. 7.]

AN ACT

To amend sections 3033, 3034, 3036, 3037, 3038, 3039, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3054, 3055, 3056, 3057, 3058, 3059, 3063, 3064, 3067, 3068, 3069, 3070, 3071, 3074, 3076, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3104 and 3105 of the Revised Statutes of Ohio, and to repeal sections 3035, 3060, 3061, 3062, 3065 and 3066.

Ohio National Guard.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections three thousand and thirty-six, three thousand and thirty-seven, three thousand and forty-one, three thousand and forty-two, three thousand and forty-three, three thousand and forty-four, three thousand and forty-five, three thousand and forty-seven, three thousand and forty-eight, three thousand and forty-nine, three thousand and fifty, three thousand and fifty-one, three thousand and fifty-two, three thousand and fifty-four, three thousand and fifty-five, three thousand and fifty seven, three thousand and fifty-eight, three thousand and fifty-nine, three thousand and sixty-three, three thousand and sixty-four, three thousand, and sixty-seven, three thousand and sixty-eight, three thousand and sixty-nine, three thousand and seventy, three thousand and seventy-four, three thousand and seventy-six, three thousand and seventy-nine, three thousand and eighty-three, three thousand and eighty-four, three thousand and eighty-five, three thousand one hundred and four and three thousand one hundred and five of the Revised Statutes of Ohio be amended so as to read as follows:

ORGANIZATION.

Infantry organization.

SEC. 3036. Each regiment shall consist of eight or twelve companies, and shall have a colonel, a lieutenant-colonel, a major for every four companies, a surgeon, with the rank of major, an assistant surgeon, with the rank of captain, an adjutant and a quartermaster each with the rank of first lieutenant, and a chaplain, and a non-commissioned staff, to consist of a sergeant-major, a quartermaster-sergeant, a commissary-sergeant, a hospital-steward and two principal musicians. Every battalion of three companies, shall have a major, and a battalion of five or more companies a lieutenant-colonel and major together with an assistant surgeon, a quartermaster, a chaplain, sergeant-major, quartermaster sergeant, a commissary sergeant and a hospital steward. The commander of a regiment or a battalion of not less than four companies, may enlist a band, to consist of a drum-major, a leader, with the rank of sergeant-major, and not more than twenty-four musicians. Each company of infantry shall consist of a captain, a first lieutenant, a second lieutenant, one first sergeant, four sergeants, eight corporals, two musicians, a wagoner, and not less than forty-four, nor more than eighty-three privates.

Cavalry organization.

SEC. 3037. Each troop of cavalry shall consist of a captain, a first lieutenant, a second lieutenant, one first sergeant, five sergeants, eight corporals, two trumpeters, two farriers, two blacksmiths, a saddler, a wagoner, and not less than thirty men nor more than eighty-one privates.

New companies, troops and batteries, how formed.

SEC. 3041. A company, troop or battery may be organized upon the petition of a number of persons, subject to military duty, equal to the minimum required for the organization proposed; such petitions shall be forwarded to the commander-in-chief, and, if approved by him, the petitioners shall be assembled, and after inspection shall be enlisted; provided, the number enlisted be not less than the minimum number required for such organization. The mustering officer shall then require the persons enlisted to elect officers, and shall transmit to the adjutant-general a certificate showing the result of such election, together with a muster-roll of the organization.

Mode of enlistment; oath.

SEC. 3042. All enlistments shall be made by signing enlistment papers, in such form as shall be prescribed by the adjutant-general. As soon as practicable after this enlistment, the following oath, which may be administered to the recruit by any commissioned officer, [shall be taken by each recruit enlisted]:

"I, ————, do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America, and to the State of Ohio; that I will serve them honestly and faithfully against all their enemies, whomsoever, and that I will obey the orders of the governor of Ohio, and the orders of the officers appointed over me, in accordance to the laws, rules and articles for the government of the Ohio national guard."

Battalions and regiments.

SEC. 3043. The commander-in-chief shall organize, when practicable, the national guard into regiments and battalions of artillery, cavalry and infantry.

Election and term of officers.

SEC. 3044. The officers of the national guard shall serve for the term of five years, unless sooner discharged, and shall be elected as follows: Field officers of regiments and battalions by the written votes of the officers and enlisted men of the respective regiments and battalions; captains and lieutenants by the written votes of the officers and enlisted men, of the respective companies, troops and batteries.

Regulations governing such elections.

SEC. 3045. All meetings for the election of officers shall be ordered by the commander-in-chief, and shall be governed by such regulations as he may prescribe. Each officer shall be separately voted for, and any persons receiving a majority of the written votes of the electors present at such meeting, shall be deemed elected.

Commissions; oath of office.

SEC. 3047. The commander-in-chief shall issue all commissions. Every person elected to office in the national guard shall, within ten days after the receipt or tender of his commission, take and subscribe the oath prescribed in the constitution of the State, and also an oath of office; the officer who administers the same, shall certify the fact on the commission, and transmit a copy of such certificate to the adjutant-general. In case of neglect or refusal to qualify within the time mentioned, he shall be deemed to have resigned his office, and an election shall be ordered to fill the vacancy.

Neglect to qualify.

Rank of officers.

SEC. 3048. Officers shall take rank from date of commission; and an officer who has served continuously in the same grade for more than one term, either by re-election or re-appointment, shall take rank from the date of his first commission in that grade.

Honorable discharge of officers.

SEC. 3049. An officer may be honorably discharged by the commander-in-chief, upon tender of resignation, upon the disbandment of the organization to which he belongs, or, if a staff officer, on the written request of the officer appointing him, or upon the qualification of his appointed successor.

Offices vacated, when.

SEC. 3050. The commander-in-chief is authorized to drop [any officer] from the rolls of the national guard, for desertion, or any officer who is absent from duty three months without leave.

Dishonorable discharge.

SEC. 3051. An officer may be discharged by the commander-in-chief upon the report of [a] court of inquiry, or to carry out the sentence of a court martial.

New companies, etc.; disbandment.

SEC. 3052. The commander-in-chief shall maintain the national guard by organizing new companies, troops and batteries, and shall have power to disband any company, troop or battery whenever it shall become reduced in numbers below one-half the minimum strength, or whenever it shall fall below a proper standard of efficiency.

Senior officer to command.

SEC. 3054. The command of any military force called into service under the provisions of this act, shall devolve upon the senior officer of such force, unless otherwise specially ordered by the commander-in chief.

Exemptions of officers and members.

SEC. 3055. A certified list of officers, enlisted men and contributing members shall be filed by the commanding officer of each company, troop and battery, with the clerk of the court of the county in which such company or organization is located. Such lists shall be filed on or before the first day of October in each year, and all such officers, enlisted men and contributing members shall, for the ensuing year, or until discharged, be exempt from labor on the public highways and service as jurors

Term of service and discharge.

SEC. 3056 All enlistments in the active militia shall be for the term of three years. No enlisted man shall be discharged before the expiration of his term of service, except by order of the commander-in-chief, and for the following reasons:

To accept promotion by commission; upon removal of residence from the State, or permanent removal to such distance from the command to which he belongs, that in the opinion of his commanding officer he cannot perform his military duty; upon disability, established by the certificate of a medical officer; whenever, in the opinion of the commander-in-chief, the interests of the service demand such discharge; to carry out the sentence of a court-martial; dishonorable discharge, or discharge in such form as to forbid re-enlistment, shall be given only in accordance with the sentence of a court-martial; every soldier discharged from the service of the State shall be furnished with a certificate of such discharge, which shall state clearly the reason therefor. The adjutant-general shall publish, in his annual report, the names of all officers and enlisted men dishonorably discharged during the year.

Reasons for discharge.

CHAPTER 3.

DISCIPLINE AND GOVERNMENT.

Laws, etc., governing national guard. Tactics, etc.

SEC. 3057. The national guard shall be governed by the military laws of the State, the orders of the commander-in-chief, the code of regulations, and shall conform, as near as possible, to the system of discipline and administration prescribed from time to time, for the army of the United States. The system of tactics and field exercises from time to time ordered for the army of the United States shall be the system of tactics and field exercises for the militia of this State.

Code of regulations.

SEC. 3058. The commander-in-chief shall be authorized to make and publish such regulations as will increase the discipline and efficiency of the national guard. Whenever, in his judgment, it is necessary, he may convene a board of not more than five officers, who shall prepare or revise a code of regulations for the government and regulation of the national guard.

Board of examiners; examinations.

SEC. 3059. The commander-in chief shall appoint a board of examiners for each regiment, to consist of three competent officers, who shall convene at such times and places as the commanding officer shall direct, and examine the military and general qualifications of any persons who may be reported to such board for examination; and upon the report of such board, if adverse to such person, and approved by the commander-in-chief, he shall order the election or appointment of another person. The commanding officer shall notify all persons elected or appointed to commissioned offices in his command, to appear before said board, giving them at least two weeks' notice.

Courts-martial and of inquiry.

SEC. 3063. The commander-in-chief may order courts-martial for the trial of officers and enlisted men at such times as the interest of the service may require. Courts of inquiry may be ordered by the commander-in-chief to examine into the nature of any transaction of, or accusation or imputation against any officer or soldier. General regimental courts-martial and courts of inquiry shall be organized and governed, as near as may be, in conformity with the articles of war, and the rules and regulations established for the government of the United States army. The proceedings, findings and sentence of general courts-martial shall, unless otherwise ordered by the commander-in-chief, be reviewed by the judge-advocate-general.

Findings, how reviewed.

Regimental and battalion courts-martial.

SEC. 3064. The commanding officer of each regiment or battalion may appoint a regimental or battalion court-martial to consist of a field officer, for the trial of offenses that are within the jurisdiction of a field officer's court of the United States army.

FINES AND DUES.

Levy and collection of fines, etc.

SEC. 3067. The amounts which may be collected as dues and fines, shall be fixed by the council of administration of each regiment and battalion, subject to the approval of the commander-in chief. Each commanding officer shall deduct from any pay received for any member of his command the amount of all dues and fines due from said member, for fines assessed by courts-martial, or in accordance with the provisions of this title.

Suits for recovery of fines.

SEC. 3068. For all fines incurred under the provisions of this title, not otherwise provided for, each commanding officer shall, within five days after the penalty has been incurred, notify the delinquents of the amount of fines to which they have made themselves liable, and if such delinquents shall neglect or refuse to pay these fines, or fail to excuse themselves to the satisfaction of the commanding officer, within five days after such notice is given, a list thereof, and of the delinquents, shall be placed in the hands of justices of the peace within the townships in which the delinquents respectively reside, who shall thereupon render judgment against such delinquents separately, together with the costs of suit, without issuing process thereon, and shall issue execution thereon, without stay, directed to any constable of said township, who shall collect the same without exemption, and the money so collected, shall, after deduction of costs, be disposed of by such justices as provided in the next section.

To whom to be paid.

SEC. 3069. All fines and dues shall be paid to the treasurer of the battalion, regiment, company, troop, or battery, for the use of such organization.

CHAPTER 4.

UNIFORMS, ARMS, DRILL, AND PAY.

Uniforms.

SEC. 3070. The fatigue and dress uniform of the officers and enlisted men shall conform to and correspond with the uniform prescribed for the United States army, except the coat-of-arms, which shall be that of the State.

Arms, equipment, etc.

SEC. 3074. Every regiment, battalion, company, troop or battery organized under the provisions of this act, shall be furnished with the necessary arms and equipments on application to the adjutant-general, and on delivering to him a sufficient bond to the State, approved by the probate judge of the county in which such regiment, battalion, company, troop or battery is situated, signed by the officer commanding such organization, for the safekeeping and return of the same whenever required by the commander-in-chief. Such arms and equipments shall be receipted for by each officer receiving the same, to be held and accounted for as public property.

DRILLS AND ENCAMPMENTS.

Company, battalion and regimental drills; instruction in tactics, etc.

SEC. 3076. Each company of the national guard shall assemble for drill and instruction at least twice in each month from October to April, inclusive, once and in each month from May to September, inclusive, and the commanding officer of each regiment and battalion shall inspect at least one drill of each company of his command during the semi-monthly drill season, or detail a field officer for such inspection. The companies of any regiment or battalion may be assembled for battalion drill one day in each year. The commanding officer of each regiment and battalion shall call meetings of the commissioned officers of his command at the place most convenient, at least once in each quarter, for instruction in tactics and customs of the service; but nothing in this section shall be construed as allowing compensation for attendance at such meetings.

Rules in force during active service and encampment.

Exercises.

Violating bounds of encampment; penalty.

Sale, etc., of intoxicating liquor near encampment; penalty.

SEC. 3079. Whenever any portion of the national guard shall be ordered into active service, or while on duty at any encampment the rules and articles of war and general regulations for the government of the army of the United States shall be considered in force, and regarded as a part of this act, during the continuance of such service. While in camp the troops shall be thoroughly exercised in military drill, and in the routine of camp duty. The commanding officer of an encampment may fix certain bounds, not including any public road, within which no spectator shall enter without leave; and whoever intrudes within such limits, when forbidden to do so, or after entering by permission conducts himself in a disorderly manner, or whoever resists a sentry or guard, acting under orders to prevent such entry, or to prevent disorderly conduct, may be arrested by the commanding officer, or by his order, and taken before a justice of the peace of the proper township, and, upon conviction of the offense, shall be fined not more than fifty nor less than ten dollars and the costs of prosecution, and committed until such fine and costs are paid. Or, if any person shall temporarily erect any stand, booth, or other structure for the purpose of exposing for sale, giving, bartering, or otherwise dispose of any spirituous or other intoxicating liquors whatsoever, at or within a distance of one mile from any such parade or encampment, he may be put immediately under guard, and kept at the discretion of the commanding officer, and such commanding officer may turn over such person to any police officer or constable of the city, township or town wherein such duty, parade or drill, encampment or meeting is held, for examination or trial before any court of justice having jurisdiction of the place.

PAY.

Pay, etc., during actual service and encampments, how paid.

SEC. 3083. Payments under the last two sections shall be made on the pay-rolls prepared according to such forms as the adjutant-general shall direct, upon warrant of the adjutant-general, approved by the governor, out of moneys in the treasury appropriated for that purpose; and the necessary commissary and quartermaster stores, and medical supplies, and transportation for the troops in actual service, and, while attending the annual encampment, shall be contracted for by the proper department officers, by direction of the commander-in-chief, and paid for in like manner.

Pay for service and attendance on courts-martial, etc.

SEC. 3084. Compensation for service and attendance upon courts-martial and courts of inquiry appointed by the commander-in-chief, shall be as follows: The judge-advocate and members shall receive three dollars each for each day's attendance, and five cents per mile for traveling to and from sessions; provost-marshals shall be allowed for their services the same as sheriffs are allowed for similar services, and witnesses shall receive fifty cents for each day's attendance, and five cents per mile for traveling to and from sessions. Vouchers for such compensation shall be certified as correct by the president of the court or board, approved by the adjutant-general, and audited and paid as other accounts against the State.

Armories.

SEC. 3085. The board of county commissioners of the county in which all, or a majority of the officers and enlisted men of any regiment, battalion, company, troop or battery reside, shall provide for each organization a suitable armory for the purpose of drill, and for the safe keeping of the arms, equipments, uniforms and other military property furnished by the State, subject to the inspection and approval of an officer detailed for such purpose by the commander-in-chief, and the expense of armories, including the necessary fuel and lights, shall be paid either by the county wherein all the members of any such organization reside, or by counties in proportion as they have resident members of any such organization.

BONDS.

What officers shall give bonds.

SEC. 3104. All officers commissioned under this title, in whose hands shall be placed public moneys or other public property, shall give bonds in the sum not to exceed four thousand dollars for a company commander, and five thousand dollars for a regimental quartermaster, and all other officers such sums as the commander-in-chief may direct, conditioned faithfully to account for all public moneys and property which they may receive. The commander-in-chief may at any time increase the sum so prescribed.

Treasurer's bond.

SEC. 3105. Every person elected or appointed to have the custody of any fund of any military organization shall, before receiving such fund, enter into bond, annually, in twice the amount likely to be in his hands at any time, but not less than five hundred dollars, with at least two good and sufficient sureties, to be approved by a probate judge of the proper county, payable to the State of Ohio, for the use of such organization, for the faithful discharge of his duty, and the careful keeping and disbursement of such fund as directed by the council of administration of such organization.

SECTION 2. That sections 3033, 3034, 3038, 3039, 3046, 3071, 3081, 3082 of the Revised Statutes of Ohio, as amended April 19, 1881, (78 v. 287), be so amended as to read as follows:

CHAPTER 2.

Active militia: how constituted and apportioned.

SEC. 3033. In time of peace, the active militia shall consist of not more than eighty-two companies of infantry, eight batteries of light artillery, and two troops of cavalry, to be allotted and apportioned in such localities of the State as the necessity of the service, in the discretion of the commander-in-chief, may require.

"Ohio National Guard:" active service.

SEC. 3034. The active militia shall be known as the "Ohio national guard," and may be ordered into active service by the governor to aid the civil officers to suppress or prevent riot or insurrection, or to repel or prevent invasion; and they shall, in all cases, be called into service before the unorganized militia.

Artillery organization.

SEC. 3038. Each battery of light artillery of four guns shall consist of a captain, a first lieutenant, two second lieutenants, and assistant surgeon with the rank of captain, one first sergeant, one quartermaster sergeant, one veterinary sergeant, four sergeants, eight corporals, two trumpeters, one guidon, and not less than

forty, nor more than eighty privates. Each battery of two guns shall consist of a captain, a first lieutenant, an assistant surgeon with the rank of first lieutenant, one first sergeant, one quartermaster sergeant, one veterinary sergeant, two sergeants, four corporals, one guidon, one trumpeter, and not less than twenty, nor more than forty privates.

Contributing members.

SEC. 3039. In time of peace the officers commanding companies, troops and batteries may enlist contributing members, not to exceed one hundred and fifty. Such members shall be subject to such contributions, dues and services as may be ordered by the council of administration of the respective organizations, but the dues of such members shall in no case be less than five dollars each, per annum, and the whole number of active and contributing members belonging to the active militia in any county shall not exceed fifteen per centum of the voting population of such county.

Appointment of staff and non-commissioned officers.

SEC. 3046. The permanent commanders of regiments, battalions, and batteries, shall appoint the staff officers of their respective organizations. The permanent commanders of regiments, battalions, troops and batteries, shall appoint the non-commissioned staff and non-commissioned officers of their respective organizations, and shall issue warrants for such appointments.

Fatigue uniforms.

SEC. 3071. Every enlisted man shall be furnished with a fatigue uniform, of the prescribed pattern; such uniform shall remain and continue to be the property of the State, to be used for military purposes only, and when issued shall be receipted for, kept and accounted for in the same manner, and under the same securities as provided for in this title, in the care of arms and equipments. The uniforms provided for in this section shall be purchased by a special appropriation for that purpose, at a cost of not more than twelve dollars each. The adjutant-general, quartermaster-general and senior colonel of infantry shall constitute a military clothing board, to receive proposals and award all contracts for uniforms which may be required for the use of the active militia, which uniform shall be as prescribed, and in accordance with the sample furnished. But such contracts shall, after ten days' advertising in two newspapers of general circulation in the State, be awarded to the lowest responsible bidder.

Military clothing board.

Pay during actual service.

SEC. 3081. Officers and enlisted men of the national guard shall receive pay for their services at the following rates: When in actual service, in case of riot or insurrection, or whenever called upon in aid of the civil authorities, each commissioned officer shall receive such sum per day for each day's service performed as is allowed commissioned officers of the same grade in the army of the United States, together with the necessary transportation; and each enlisted man shall receive two dollars for each day's service performed, together with the necessary transportation, commissary and quartermaster stores and medical supplies; and for all horses of enlisted men there shall be paid two dollars per day for each horse necessarily used by them for each day's service performed.

Pay during encampments.

SEC. 3082. Officers and enlisted men shall receive pay for each day actually spent by them on duty at the annual encampment at the following rates, together with all necessary transpor-

tation, quartermaster stores and medical supplies: For each day's service each colonel shall receive four dollars and fifty cents, each lieutenant colonel shall receive four dollars, each major shall receive three dollars and fifty cents, each captain mounted shall receive two dollars and seventy-five cents, each captain not mounted, each adjutant and each quartermaster shall receive two dollars and fifty cents, each first lieutenant, mounted, shall receive two dollars and twenty-five cents, each first lieutenant, not mounted, and each second lieutenant, mounted, shall receive two dollars, and each second lieutenant shall receive one dollar and seventy-five cents, together with the same allowance for subsistence and forage, as [is] provided for enlisted men. For each day's service performed each enlisted man shall receive one dollar, and commutation of rations at the rate of forty cents a day, and for all horses used by field and staff officers, and for officers and enlisted men of cavalry and artillery, not to exceed forty for a troop of cavalry, twenty-four for a two-gun battery, and forty-five for a four-gun battery, there shall be paid one dollar and fifty cents per day for each horse necessarily used by them for each day's service performed.

SECTION 3 That section 3078 of the Revised Statutes, as amended April 19, 1881, (78 v. 287), and April 2, 1884, (81 v. 98), be so amended as to read as follows:

Time, place and duration of encampment.

SEC. 3078. The national guard shall encamp not less than six nor more than eight days in each year; and unless the commander-in-chief prescribes the time, place and manner of assembling the troops for that purpose, the commander of each regiment, battalion, troop and battery, shall order an encampment of his command at some time during the months of May, June, July, August, September or October, upon such date as shall be approved by the commander-in-chief.

SECTION 4. That section 3080 of the Revised Statutes, as amended April 3, 1883, (80 v. 93), be so amended as to read as follows:

Yearly payments to organizations.

SEC. 3080. Upon the approval of the adjutant-general, there shall be allowed, annually, for care of State property, and other necessary expenses, to each regimental headquarters, the sum of two hundred dollars, to each regimental band, company of infantry and troop of cavalry, the sum of one hundred dollars, to each battery, the sum of fifty dollars for each gun, to be paid in accordance with section 3075 to the order of the commanding officer of each regiment, battalion, company, troop and battery. Such commanding officer shall pay the same to the treasurer of the regiment, band, company, troop or battery, taking his receipt therefor in duplicate, and a copy of which shall be returned to the adjutant-general. When the sum appropriated for such purpose is not sufficient for the full allowance of said amounts to each of such organizations aforesaid, the adjutant-general shall apportion the amount appropriated pro rata to said several organizations in the State.

SECTION 5. That said original sections 3036, 3037, 3041, 3042, 3043, 3044, 3045, 3047, 3048, 3049, 3050, 3051, 3052, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3074, 3076, 3079,

3083. 3084, 3085, 3104, 3105, and sections 3033, 3034, 3035, 3038, 3039, 3046, 3071, 3081 and 3082, as amended April 19, 1881, (78 v. 287), sections 3078, as amended April 19, 1881, (78 v. 287 , and April 2, 1884, (81 v. 98) and section 3080, as amended April 3, 1883, (80 v. 93), be and the same are hereby repealed.

Discharge of now enlisted men.

SECTION 6. Any enlisted man in the service of the State at the time of the passage of this act, if he shall so elect, shall be discharged at the end of three years from the date of its passage.

SECTION 7. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 28, 1886.

[Senate Bill No. 84.]

AN ACT

To amend section 4000 of the Revised Statutes of Ohio, as amended April 18, 1883, (O. L., v. 80, p. 172).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4000 of the Revised Statutes of Ohio, as amended April 18, 1883, be so amended as to read as follows:

Cleveland public library board.

SEC. 4000. The public library board of the city of Cleveland shall consist of seven suitable persons, residents of said city, no one being a member or officer of the board of education. The members of the library board shall serve without compensation, and hold their offices for three years, and until their successors shall have been elected and qualified, except that at the first election two of the board shall be elected for one year, two for two years, and three for three years. After said first election so many shall be elected each year as equals the number whose term expires that year. They shall be elected by roll-call as in other cases, by the board of education of the city of Cleveland, at its first regular meeting after the third Monday of April, 1886, and annually thereafter as hereinbefore provided. The board of education shall have power at any time to fill vacancies in the library board for unexpired terms by election as aforesaid.

SECTION 2. That said section 4000, as amended April [18], 1883, (O. L., v. 80, p. 172), be and the same is hereby repealed.

SECTION 3. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 28, 1886.

[House Bill No. 207.]

AN ACT

To amend section 6155 of the Revised Statutes of Ohio.

Executors and administrators.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6155 of the Revised Statutes of Ohio be amended so as to read as follows:

Sale of real estate: appraisers; their duty as to dower and homesteads.

SEC. 6155. Except when there has been a valuation of the real estate in the inventory, and the court dispense with another appraisement, the court shall, upon finding that a sale is necessary, appoint three judicious disinterested men of the vicinity, who are freeholders, to appraise the lands at their true value in money, and if the deceased left a family homestead, and a widow or a minor child or children, or both, entitled to have a homestead set off pursuant to the provisions of section 5437, then the court shall order the appraisers to first proceed to set off and assign such homestead, and if the deceased left a widow entitled to dower in the premises, the court shall also order said freeholders to set off and assign to her in each, or in one or more of the tracts of land, by metes and bounds, one equal third part of the whole lands in which she is entitled to dower, as and for such dower, and to appraise the whole premises either as a whole or in parcels, subject to such homestead and dower, or in case there is no such homestead, then subject to such dower so assigned, and in case there is no such dower then subject to such homestead. But if, on view, the appraisers find that the dower can not be so assigned, they shall then assign such dower specially as of the rents and profits, and if the lands lie in two or more counties, the court may, if it thinks fit, appoint appraisers in more than one of the counties. In all cases a copy of the order to be executed shall be issued to the executor or administrator, and any lands subject to such homestead and dower, or either, may be sold pursuant to the provisions of this chapter.

Lands in two or more counties.

SECTION 2. Said original section 6155 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed [April] 30, 1886.

[House Bill No. 169.]

AN ACT

To amend section 5176 of the Revised Statutes of Ohio, as amended January 25, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5176 of the Revised Statutes of Ohio, as amended January 25, 1881, (78 v. 16), be so amended as to read as follows:

Jurors: causes of principal challenge.

SEC. 5176. The following shall be good cause for challenge to any person called as a juror for the trial of any cause:

1. That he has been convicted of a crime, which, by law, renders him disqualified to serve on a jury.

2. That he has an interest in the cause.

3. That he has an action pending between him and either party.

4. That he has formerly been a juror in the same cause.

5. That he is the employer, employe, counselor, agent, steward, or attorney of either party.

6. That he is subpœnaed in good faith in the cause as a witness.

7. That he is akin by consanguinity or affinity within the fourth degree to either party, or to his attorney.

8. That he is a party to another action then pending in any court, in which any attorney in the cause then on trial is an attorney, either for or against him.

9. That he, not being a regular juror of the term, has served once already as a talesman in the trial of any cause, in any court of record in the county within the preceding twelve months; and in either of said cases the same shall be considered as a principal challenge, and the validity thereof tried by the court.

SECTION 2. That section 5176, as amended January 25, 1881, (78 v. 16), is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed [April] 30, 1886.

[House Bill No. 258.]

AN ACT

To amend section 3689 of the Revised Statutes of Ohio.

Mutual insurance associations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3689 of the Revised Statutes of Ohio be so amended as to read as follows:

Election of officers.

SEC. 3689. When such certificate is so filed, and a copy thereof, so certified, forwarded to the association, the persons named therein shall elect their directors, and a president, secretary, and treasurer, and such other officers as may be necessary for the complete performance of all the business and objects of the association herein provided, to serve for one year; and such officers shall thereafter be chosen in such manner, and at such time as shall be fixed upon in the constitution; but directors shall not be chosen for a longer period than three years; and such association so organized shall be known and held to be a body corporate for all the purposes aforesaid, and may sue and be sued, and plead and be impleaded, in all courts of law and equity,

Powers.

but in no instance shall the power to insure against losses by fire or tornadoes be exercised to other than members of the association.

SECTION 2. That said original section 3689 be and the same is hereby repealed; and this act shall be in force and take effect on and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 302.]

AN ACT

To provide for the establishment and maintenance of a home for disabled and indigent ex-soldiers, sailors and marines of Ohio.

Ohio Soldiers' and Sailors' Home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be established in this State an institution under the name of "the Ohio soldiers' and sailors' home," which institution shall be a home for honorably discharged soldiers, sailors and marines.

Who entitled to admission.

SECTION 2. All honorably discharged soldiers, sailors and marines who have served the United States government in any of its wars, and who are citizens of Ohio at the date of the passage of this act, and are not able to support themselves, and are not entitled to admission to the national military homes, or cannot gain admission thereto, may be admitted to the home first aforesaid, under such rules and regulations as may be adopted by the board of trustees hereinafter provided for; provided, that preference shall be given to persons who served in Ohio military organizations.

Appropriation.

SECTION 3. To carry out the provisions of this act, there shall be and is hereby appropriated out of any moneys in the state treasury, or that may come therein, to the credit of the general revenue fund, not otherwise appropriated, the sum of fifty thousand dollars ($50,000).

Trustees.

SECTION 4. The selection and purchase of the site and construction of the buildings for said institution, and the general supervision and government thereof shall be vested in five trustees, not more than three of whom shall belong to the same political party, who, upon the passage of this act, shall be appointed as follows, to-wit: one for one year, one for two years, one for three years, one for four years and one for five years, and as the term of each expires his successor shall be appointed for five years. Such trustees shall be appointed by the governor by and with the advice and consent of the senate, and they shall be governed by the provisions of the general laws relating to the state benevolent institutions, except as otherwise provided in this act.

Selection and purchase of a site.

SECTION 5. Said board is authorized to select and purchase a site for said institution, consisting of not less than sixty acres of land, at an expense not exceeding ten thousand dollars, or may

receive donations of land for such purpose, or purchase a building or buildings if the same may be found to the satisfaction of the board. The title to said lands must be approved by the attorney-general before the same is accepted, and when accepted shall be conveyed to the State of Ohio, and the deed therefor shall be duly recorded and deposited with the auditor of state.

Commandant.

SECTION 6. The trustees shall appoint a superintendent, who shall be styled "commandant of the home," and who shall hold office for five years, unless sooner removed by the trustees for cause. Said commandant shall have entire management and control of the institution under the rules and regulations adopted by the trustees, and he shall, with the approval of a majority of the board, appoint or employ all subordinate officers and employes of said institution, and may remove or discharge them for cause.

Subordinates.

Laws governing financial officer.

SECTION 7. The financial officer of the home shall be governed by the provisions of chapter 3, title 5, part first, of the Revised Statutes of Ohio.

SECTION 8. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 402.]

[CLEVELAND.]

AN ACT

To create and perpetuate a board of trustees of the firemen's pension fund; to provide and distribute such fund for the pensioning of disabled firemen and the widows and minor children and dependent mothers or fathers of deceased firemen; to authorize the retirement from all service, or the relief from active service, and the pensioning of any such member of the fire department, and for other purposes in connection therewith, in cities of the second grade of the first class.

Board of Trustees of the Firemen's Pension Fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the persons who, from time to time, compose the board of fire commissioners of any city of the second grade of the first class, and three other persons, members of the fire department therein, elected as hereinafter provided, shall constitute and be the trustees for the distribution of the pension fund now existing or hereafter provided, and shall be called "The Board of Trustees of the Firemen's Pension Fund."

Election of three trustees.

SECTION 2. The three persons to be elected as such trustees shall, together with three other persons, also members of the said fire department, be nominated for such office of trustee in a convention to be composed of one delegate from each engine, chemical engine, fire boat, hook and ladder or hose company, fire alarm telegraph company and from the general office belonging to the fire department of any such city, and called by the chief of such fire department, and convened at least two weeks prior to

the election of such three trustees. That such election shall be held in the respective houses or headquarters of such engine, chemical engine, fire boat, hook and ladder or hose company, telegraph department or general offices and be by ballot cast by the members of the said fire department between the hours of nine o'clock in the forenoon and six o'clock in the afternoon on the first Tuesday of January in each and every year hereafter, except the first election, which shall be held within thirty days after, and by virtue of the passage of this act. That every such member shall be entitled to cast only one ballot. That no ballot shall contain the names of more than three persons, and the persons receiving the highest number of votes shall be declared elected as such trustees, and hold their office until their successors are duly elected. That the captain or officer in command of any such company, on the day of and immediately after holding such election, shall canvass, count, and certify in writing the number of ballots cast and the vote received by each candidate for the office of trustee. After signing such certificate said captain or officer in command shall at once address and deliver, or mail the same to the secretary of the said board of trustees. That the president and secretary of the said board of trustees shall together, within three days after the receipt of such certificates by said secretary, open the same and ascertain and determine the total number of votes so cast at said election for the different persons for the office of trustee as returned by said captain or officer in command, and under the respective hands of such president and secretary, issue certificates of their election to the three persons elected as such trustees. In case of a tie vote being received by any two persons for the office of said trustee, such tie vote shall be decided by casting lots or in any other way which may be agreed upon by and between the persons for whom such tie vote was cast. No election shall be set aside for want of formality in balloting by such members, or certifying or remitting the returns of any such election by said captain or officer in charge.

Place.

Ballots.

Count.

Return.

Declaring result.

Certificates.

Tie vote.

Formality not required.

SECTION 3. The president and secretary of the board of fire commissioners in such cities shall also be respectively the president and secretary of said board of trustees of the firemen's pension fund. It is hereby made the duty of the said secretary to keep a full record of all of the proceedings of said board of trustees, and all action taken by it in regard to the said pension fund.

President and secretary of board; record of proceedings.

SECTION 4. That the county treasurers of counties containing a city of the second grade of the first class shall semi-annually, at the time of their semi-annual settlement with the auditors of their respective counties, pay over to the treasurer of such city one-half of the amount under his annual levy of all the taxes paid into the treasury of such county by insurance companies incorporated by the authority of any other State or government and doing business in any such city, on the gross receipts of every such insurance company, under and by virtue of the provisions of section 2745 of the Revised Statutes, during the half year preceding such semi annual settlement, and the money so paid over to such city treasurer shall, together with the amount heretofore so paid, constitute a pension fund for the purposes and objects hereinafter set forth.

Foreign insurance companies: tax on applied to such fund.

Failure of such companies to make return of gross receipts; penalty.

SECTION 5. In case any such insurance company shall fail to make return to the office of the auditor of the county in which the office or agency of such insurance company may be kept, in the month of May, annually, the amount of the gross receipts of such agency for entry upon the tax list of the proper county, such auditor shall forthwith give notice of such failure to the superintendent of insurance, and said superintendent shall, upon the receipt of such notice from said auditor, forthwith revoke and recall the license and authority to such insurance company to do or transact business within this State. And no renewal of authority shall be granted to such insurance company for three years after such revocation, and it shall be prohibited from transacting any business in this State until again duly licensed and authorized so to do, and the said return shall have been duly made. In each and every case of the failure of the said auditor to give such notice to said superintendent of insurance, such auditor shall forfeit and pay to said city, for the use and benefit of said pension fund, the sum of one thousand dollars, such forfeiture to be recovered of said auditor in an action at law therefor, brought against him by any person, in the name of any such city, and before any court of competent jurisdiction.

Duty of county auditor; penalty for neglect.

Duty of auditor to deliver statement of such gross receipts, etc., to board; penalty for neglect.

SECTION 6. That it shall be the duty of the said auditor to make out and deliver to the said board of trustees, annually, on the first of July, in each and every year hereafter, a correct statement of the name and agent's name of every such insurance company so doing business in said city, together with the amount of the gross receipts of every such insurance company as returned by said agent or company to said auditor for the year previous to such first day of July. In case of the failure of said auditor to so make out and deliver to said board of trustees any such annual statement at the time named in each and every year hereafter, such auditor shall forfeit and pay to said board of trustees for the use and benefit of the said pension fund, the sum of five hundred dollars. Said forfeiture to be sued for and recovered of such auditor in an action at law brought against him by any person, in the name of any such city, and before any court of competent jurisdiction.

Duty of treasurer respecting statement of such taxes, etc.; penalty for neglect.

SECTION 7. That it shall be the duty of the treasurer of the said county to make out and deliver to the said board of trustees on the first days of January and July in each and every year hereafter, a statement of the name of every such insurance company doing business in the said city, together with the amount of the taxes paid into the treasury of such county by such insurance company for the year, or part thereof, prior to the making and delivery of such semi-annual statement of said treasurer to such board of trustees. And in case of the failure of said treasurer to so make out and deliver such semi-annual statement to said board of trustees at the times named in each and every year hereafter, such treasurer shall forfeit and pay to said board of trustees for the use and benefit of said pension fund, the sum of five hundred dollars. Such forfeiture to be sued for and recovered against him in an action therefor, brought by any person, in the name of such city, before any court of competent jurisdiction.

Other revenues of such fund.

Fines, gifts, etc.

Penalties.

Fees.

Devises, etc.

Permanent fund.

City treasurer's bond.

Power to invest said fund in bonds.

Registering said bonds.

Annual report.

SECTION 8. That the said board of fire commissioners may impose fines upon any member of the fire department in any such city by way of discipline or punishment; detain and collect the same from the pay or salary of such member, and such fines, together with all rewards in money, fees, gifts and emoluments that may be paid or given specially to said pension fund on account of extraordinary services by said fire department, or any member thereof, (except when allowed to be retained by such member, or given to endow a medal, or other permanent or competitive reward), and all proceeds of suits for penalties for the violation of any provision of any statute of this State or ordinances of said city, with the execution of which the said fire department or any of its officers or members is now or hereafter may be charged, and any license or other fees payable under the same, shall be paid to and received by the said city treasurer, and applied by him to the said pension fund. And the said board of trustees may take by gift, grant, devise or bequest any money, real estate or personal property, right of property or other valuable thing, the annual income of which shall not exceed fifty thousand dollars in the whole, and such money, real estate, or personal property, right of property or other valuable thing so obtained, shall in like manner be paid to and applied by such city treasurer to the said pension fund, and also to the use of such fund by deposit, investment or profit as hereinafter provided, or as such board of trustees shall direct; provided, that the sum of one hundred thousand dollars which may be received and accumulated under the provisions of this act, shall be, when so received and accumulated, retained as a permanent fund, the annual income of which may alone be made available for the uses and purposes of said pension fund.

SECTION 9. That the treasurer of every such city shall execute a bond with sufficient sureties to such city for the faithful performance of his duties as the custodian of such pension fund, in like manner as his present official bond as such treasurer is drawn, executed and filed, and in such penal sum as the said board of trustees shall direct.

SECTION 10. That the said board of trustees shall have power to draw such pension fund from the treasury of such city, and may invest the said fund in the name of "the board of trustees of the firemen's pension fund" in interest bearing bonds of the United States, the State of Ohio, or any county in this State or of said cities, or of any township, incorporated village, or other municipal corporation in the said State of Ohio, when the power to issue such bonds is derived from either general or special legislative authority. That the said bonds shall, before the same are issued to the said board of trustees, be registered in the office of the treasurer of the United States or said State of Ohio, or county, city, township, incorporated village or other municipal corporation in this State, issuing the same, and bear upon their face the printed or legibly written fact of such registry, together with the book, and page and the date and place of such registry. The said board of trustees shall make report to the common council of the condition of said pension fund on the first day of January, in each and every year.

Beneficiaries of such fund: members disabled in performance of duty.

SECTION 11. If any member of the fire department of any such city shall, while in the performance of his duty, become or be found, upon an examination by a medical officer ordered by the said board of fire commissioners, to be physically or mentally permanently disabled, so as to render necessary his retirement from all service in the said fire department, such board of fire commissioners shall have power to retire such permanently disabled member from all service in the said fire department, and upon such retirement the said board of trustees shall authorize the payment to such permanently disabled member monthly, from the said pension fund, the sum of fifty dollars. If any member of the said fire department shall, while in the performance of his duty be killed, or die from the effects of any injury thus received, or of any disease thus contracted, or if any member of said fire department shall, after ten years' continuous service therein, or while retired, die from any cause, such member so killed, or dying from said injuries or disease, or after said term of continuous service, or retirement, shall leave a widow, or minor child or children under sixteen years of age, or a mother who depended on him for support, said board of trustees shall authorize and direct the payment from the said pension fund of the following sums monthly, to wit: To such widow, while unmarried, twenty dollars; to the guardian of such minor child or children, six dollars for each of said children until each child shall respectively arrive at the age of sixteen years, and twenty dollars to such dependent mother until she remarries; and in case there is no dependent mother, but a father who is dependent upon such member for support, such dependent father shall be paid the same sum monthly as provided herein to be paid to a dependent mother; provided, however, that if at any time there should not be sufficient money or bonds to the credit of the said pension fund to pay to each person entitled to the benefit thereof, the full amount per month as hereinbefore stated, then and in that event, an equal percentage of said monthly payments shall be made to each beneficiary thereof, until said fund is so replenished as to warrant payment in full to each of said beneficiaries.

Parents and minor children of members killed in performance of duty, or dying from disease, etc.

Payments, when prorated.

Total disability contracted not in performance of duty, or before the end of ten years' service.

SECTION 12. In case of the total permanent disability of any member of the said fire department, not caused in or induced by the actual performance of the duties of his position as such member, or which shall have thus occurred before the expiration of ten years' continuous service, in the said fire department, the said board of fire commissioners, upon an examination of such permanently disabled member, by the medical officer ordered by the said board of fire commissioners, shall have power to retire such totally, permanently disabled member from all service in the said fire department, and upon such retirement, the said board of trustees shall authorize the payment to such totally, permanently disabled member, monthly, from the said pension fund an amount of money equal to one-third of the monthly compensation allowed such member as a member of said fire department at the date of his retirement from such service, or in proportion to the number of beneficiaries of said fund as the condition of the said pension fund will warrant. In case of the partial permanent disability of any member of the said fire department not caused in, or induced

by the actual performance of the duties of his position as such member, or which shall have occurred before the expiration of ten years' continuous service in the said fire department, the said board of fire commissioners upon an examination of such partially permanently disabled member by the medical officer ordered by the said board of fire commissioners, shall have power to relieve such partially permanently disabled member from active service at fires, and upon such member being so relieved, the said board of trustees shall authorize the payment to such partially permanently disabled member, monthly, from the said pension fund an amount of money equal to one-third of the monthly compensation allowed said last named member, as a member of said fire department, at the date of his being so relieved from such service, or in proportion to the number of beneficiaries of said fund as the condition of the said fund will warrant. The member of said fire department so partially permanently disabled, and relieved from active service at fires, shall remain a member of said department, subject to the rules governing the same; and may be ordered by the said board of fire commissioners to the performance of such light duties as the medical officers ordered by the said board of fire commissioners, may certify him qualified to perform, and the said board of fire commissioners may, out of the general fund of said fire department, fix and pay such additional compensation for the performance of said light duties as the circumstances and merit of each case in its discretion may warrant.

Partial disability so contracted.

Assignment to light duties; pay.

SECTION 13. In case of the partial permanent disability of any member of the said fire department, caused in or induced by the actual performance of the duties of his position as such member, or which shall have occurred before the expiration of ten years of continuous service in the said fire department, the said board of fire commissioners, upon an examination of such partially permanently disabled member by the medical officer ordered by the said board of fire commissioners, shall have power to relieve such partially permanently disabled member from active service at fires, and the said board of trustees, upon such member being so relieved, shall authorize the payment to such partially permanently disabled member, monthly, from the said pension fund, an amount of money equal to one-half of the monthly compensation allowed such last named member, as a member of said fire department, at the date of his being so relieved from such service, or in proportion to the number of beneficiaries of said fund as the condition of said pension fund will warrant. The member so partially permanently disabled and relieved from active service at fires, shall remain a member of said fire department, subject to the rules governing the same, and may be ordered by the said board of fire commissioners to the performance of such light duties as the medical officer ordered by the said board of fire commissioners may certify him qualified to perform, and the said board of fire commissioners may, out of the general fund of said fire department, fix and pay such additional compensation for the performance of said light duties as the circumstances and merit of each case, in its discretion, may warrant. Such pension and additional compensation so paid to such partially permanently disabled

Members partially disabled in performance of duty, or before the end of ten years' service.

Duties and pay.

member mentioned in this and the preceding section of this act, shall be in lieu of any salary received by such member at the date of his being so relieved from active service at fires, and the said city shall not be liable for the payment of any other claim or demand for services thereafter rendered by such partially permanently disabled member. That the payment of the said pension shall be made by drafts drawn by the order of said board of trustees, signed by the president and countersigned by the said secretary; but nothing in this act contained shall render any payment of such pension obligatory upon the said board of trustees or any member thereof, or chargeable as a matter of legal right, and the said board of trustees may at any time order such pension to be reduced or to cease.

Pension, how paid; may be ordered to be reduced or to cease, when.

Pensions not liable to attachment, execution, etc.

SECTION 14. That no portion of the said pension fund shall, either before or after its order of distribution by the said board of trustees to such disabled member of said fire department, or to the widow or guardian of the minor child or children, or to the dependent mother or father of a deceased or retired member of such department, be held, seized, taken, subjugated to, detained or levied on by virtue of any attachment, execution, injunction, writ, interlocutory or other order or decree, or any process or proceeding whatever issued out of or by any court in this State for the payment or satisfaction, in whole or in part, of any debt, damages, claim, demand, judgment, fine or amercement of such member, or his said widow, or the guardian of the minor child or children, or of the dependent mother or father of any deceased member; but the said fund shall be sacredly held, kept, secured, promoted and distributed for the purpose of pensioning the persons named in this act, and for no other purpose whatever.

Repeals.

SECTION 15. That all acts or parts of acts inconsistent with this act be and the same are hereby repealed.

SECTION 16. This act shall take effect and be in force immediately from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 428.]

AN ACT

To enable cities of the first grade of the first class to meet deficiencies.

Cincinnati authorized to borrow money and issue bonds to repay money advanced to meet deficiencies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever there is a deficiency in any fund of any city of the first grade of the first class arising from the failure to collect any tax which may have been levied under an act entitled an act further providing against the evils resulting from the traffic in intoxicating liquors, passed April 17, 1883, as under an act passed amendatory thereof, and money has been, or may be advanced to such city by private individuals or corporations, to meet the deficiency thus caused, then and in such case any such city shall have in

addition to its other powers the power to borrow and pay into the city treasury any sum not exceeding twelve thousand dollars, and to issue the bonds of the city therefor, in the manner and form now provided by law for issuing other bonds.

Money how disbursed.

SECTION 2. Any money thus paid into the city treasury shall be disbursed and paid out to the persons, or corporations who shall have thus advanced money to make good such deficiency; such payments to be made upon the warrant of the city comptroller, countersigned by the mayor, and without appropriation by council; and each person or corporation who shall have thus advanced money shall be entitled to receive and be paid the sum by him or it advanced, with interest at six per centum from the time the money was advanced until it is paid back.

Disposition of surplus.

SECTION 3. If, after repaying all moneys advanced as above provided, there shall remain in the city treasury any proceeds of said bonds, then such money as thus remains, shall, by the comptroller be transferred and turned over to the sinking fund trustees of such city.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 428.]

AN ACT

Supplementary to sections 2131 and 2132 of the Revised Statutes of Ohio.

Cleveland:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted as supplementary to sections 2131 and 2132, Revised Statutes of Ohio, with sectional numbering as follows:

Appointment of sanitary police.

SEC. 2131*a*. In all cities of the second grade of the first class the board of health shall have power to appoint as many persons for sanitary duty as in its opinion the public health and sanitary condition of the corporation may require, not exceeding one for each fifteen thousand inhabitants, as shown by the last federal census: But the board shall have power in cases of emergency, to appoint as many special sanitary police as it may think proper, and such appointees as special police shall serve during the pleasure of the board; and all such persons shall have general police powers, be known as sanitary police, perform such duties as the board of health may direct, and for such services shall receive a salary fixed by the board, of not less than seven hundred and eighty dollars per annum.

Powers, duties and salaries.

Removals and suspensions.

SEC. 2132*a*. In all cities of the second grade of the first class the board of health may, for cause to be assigned, on a public hearing, and on due notice, according to rules promulgated by it, remove or suspend from office, or for any definite time deprive

Regulations.

from pay, any member of such sanitary police force; it may make rules and regulations for the government and discipline of the force, and cause the same to be published.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[Senate Bill No. 120.]

AN ACT

To amend sections 3821*a*, 3833, 3834 and 3836 of the Revised Statutes of Ohio, and to amend section 3835, as amended April 15, 1880, (77 v. 208), and sub-divide the same into supplemental sections, with sectional numbering as therein provided, relating to the management and operation of building associations.

Building and loan associations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 3821*a*, 3833, 3834, and 3836 of the Revised Statutes of Ohio, be so amended as to read as follows, and that section 3835 of said Statutes, as amended April 15, 1880, (77 v. 208), be amended and subdivided into supplemental sections with sectional numbering as follows:

Powers.

SEC. 3833. A corporation organized for the purpose of raising money to be loaned among its members for use in buying lots or in building or repairing houses, or other purposes, may levy, assess and collect from its members such sums of money, by rates of stated dues, fines, interest and premiums on loans, or may otherwise raise money, as the corporation by its constitution and by-laws shall provide; and it may acquire, hold, incumber and convey all such real estate and personal property as may be legitimately pledged to it on such loans, or may otherwise be transferred to it in the due course of its business; but the dues, fines and premiums so paid by its members, although in addition to the legal rate of interest on loans taken by it, shall not be construed to make the loans so taken usurious; and no person shall hold more than twenty shares in any such corporation in his own right.

Deposits.

SEC. 3834. Such corporation may receive on deposit all sums of money offered for that purpose, on such terms, and at such rates of interest, not exceeding the legal rate, as may be prescribed by the board of directors, and loan the same pursuant to the preceding section.

Application of earnings.

SEC. 3835*a*. So much of the earnings as may be necessary shall be set apart to defray the current expenses of the corporation, and a portion of the earnings, to be determined by the board of directors, shall be reserved, annually or semi-annually, for the payment of contingent losses, and the residue of such earnings or dividends shall be transferred to the credit of all members, to be paid to them at such times, and in such manner, and in such proportions as the corporation by its constitution and

by-laws in conformity with this act may provide; and upon the cancellation of any share or shares that have been fully paid, the corporation shall pay to such member or members their pro rata share of so much of the reserve fund as has been accumulated during the membership and remains therein at the time of the termination of the membership of such member or members.

Constitution and by-laws.

SEC. 3835*b*. Such corporation shall be authorized to provide in their constitution and by-laws, rules and regulations, for the terms of membership; for the manner of subscribing shares of stock therein; for an annual or semi-annual division of the dividends or earnings among the members; for a rebate of interest at the end of each year on the amount of dues paid on loans; for the sale of money; for the time and amount of payment of dues, interest, premiums, fines and other assessments; for the withdrawal of non-borrowing members, and also for the withdrawal by non-borrowing members of part payments on their shares of stock; for the cancellation of the securities of borrowing members upon demand being made by them or their legal representatives.

Adjustment of loans with members, terms.

SEC. 3835*c*. All adjustments of loans between such corporations and its borrowing members shall be upon the following terms, to wit: After the premium for one year has been paid, and also the interest and premium on such loans up to the day of settlement, the borrowing member shall pay to the corporation an amount which, added to the dues and dividends credited, will equal the sum actually borrowed; and also such fines and other assessments as provided by the constitution and by-laws of such corporation.

Taxation of shares.

SEC. 3835*d*. The stock or shares of individual members or depositors of such corporation shall be considered and held as credits, and the said members and depositors, individually, shall list for taxation the number of shares held by them, and the true value thereof in money, on the day preceding the second Monday in April in each year, and the same shall be assessed at such valuation for taxation and taxes as other property.

Increase of capital stock.

SEC. 3835*e*. Any building association, after at least three-fourths of its capital stock is fully subscribed and taken, may increase its capital stock by a vote of its board of directors, a majority of the members of such board of directors voting in favor thereof; and a certificate of such action of the board of directors shall be filed with the secretary of state.

Shares owned by minors

SEC. 3836. All shares of stock held in such corporations by or in the name of a minor, shall, upon application therefor, be paid to such minor or persons who hold such shares of stock for the minor, and the same shall be valid payment.

SECTION 2. That original sections 3821*a*, as enacted April 15, 1882, (79 v. 130), 3833, 3834, 3835 and 3836 be and the same are hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 8, 1886.

[Senate Bill No. 114.]

AN ACT

To require railroad companies to give notice at stations whether passenger trains are on schedule time or not.

Posting of time of arrival of trains.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That every company or person operating a railroad within this State shall, immediately after the taking effect of this act, cause to be placed in a conspicuous place in each passenger depot of such company, located at any station in this State at which there is a telegraph office, a blackboard, at least four feet in length and two feet in width, upon which board such company or person shall cause to be written, at least ten minutes before the schedule time for the arrival of each passenger train stopping regularly upon such road at such station, the fact whether such train is on schedule time or not, and if late, how much.

Penalty.

SECTION 2. That for each violation of the provisions of this act, such company or person so neglecting or refusing to comply with the provisions of this act, shall forfeit and pay the sum of ten dollars, ($10 00) to be recovered in a civil action in the name of the State of Ohio, one-half of which shall go to the party commencing proceedings, and the remainder shall be paid over to the treasurer of the township, village or city in which such proceedings are had.

SECTION 3. That this act shall take effect and be in force from and after July 1, 1886.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 8, 1886.

[Senate Bill No. 135.]

AN ACT

Prescribing the method whereby the board of public works can lease property belonging to the State.

Mode prescribed for leasing State property by Board of Public Works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be unlawful for the board of public works to lease any property belonging to the State which is under their control and management, unless the same be authorized by the general assembly.

SECTION 2. Whenever such action has been taken by the general assembly, it shall be the duty of the board to have an accurate survey and plat made of the property to be so leased, with a proper description of the same, which shall be filed with the auditor of State, who shall record the same in a book to be kept for that purpose, after which it shall be the duty of the board to offer the same as a whole, or if divisible it is so to be noted on the plat, and then to be leased in separate tracts; and in either case it is to be offered and sold at public outcry in the city or corporation where the same is located; and should it be located outside of any city or corporation, then in the city or corporation nearest such property to be leased; provided, however, before leasing the same, the board shall cause public notice to be published at least

four weeks in some newspaper published in said city or corporation, and if none [be] published in such place, then in the county seat where such property is located, giving the location, condition and number of years to be leased.

SECTION 3. After said property is leased, attested copies, and the collection of rents shall be the same as provided in sections 6 and 7 of the act of May 14, 1878, (75 v. 584, 3 Rev. Statutes, page 374), entitled "an act defining the powers and prescribing the duties of the board of public works," provided, however, that nothing herein contained shall prevent the board from leasing for water power or purposes as provided in section 6 of such act.

SECTION 4. That section 8 of the act of April 29, 1872, (69 v. 194, 3 Rev. Stats., page 677), be and the same is hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 8, 1886.

[Senate Bill No. 123.]

AN ACT

To provide against the adulteration of candy.

Manufacture and sale of adulterated candy.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That no person shall manufacture for sale, or sell or offer to sell any candy adulterated by the admixture of terra alba, berytes, talc, or other mineral substance, or poisonous colors or flavors, or other ingredients deleterious or detrimental to health.

Samples.

SECTION 2. Every person manufacturing any candy, or offering or exposing the same for sale, shall furnish to any person interested or demanding the same, who shall apply to him for that purpose, and shall tender him the value of the same, a sample sufficient for the analysis thereof.

Penalties.

SECTION 3. Whoever refuses to comply, upon demand, with the requirements of section 2, and whoever violates any of the provisions of this act, shall be guilty of a misd meanor, and upon conviction, shall be fined not exceeding one hundred dollars nor less than twenty-five dollars, or imprisoned not exceeding one hundred nor less than thirty days, or both; and he shall be adjudged to pay in addition all necessary costs and expenses incurred in the inspecting and analyzing such adulterated candy, and the same shall be forfeited and destroyed under the direction of the court.

SECTION 4. This act shall take effect upon its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 8, 1886.

[Senate Bill No. 110.]

AN ACT

To create the office of dairy and food commissioner.

"Ohio Dairy and Food Commissioner."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there is hereby created the office of dairy and food commissioner of the State of Ohio. Said commissioner shall be appointed by the governor, by and with the consent of the senate; he shall be known as the "Ohio dairy and food commissioner;" his term of office shall be for two years, and until his successor is appointed and qualified; his salary shall be fifteen hundred dollars per year, and his necessary and reasonable expenses incurred in the discharge of his official duties under this act, to be paid at the end of each calendar month on presentation of vouchers properly itemized and certified by him to be correct. Said expenses to be paid out of the general revenue fund, but not [to] exceed $600 in any one year.

Salary and expenses.

General duties.

SECTION 2. It shall be the duty of said commissioner or assistant to inspect any article of butter, cheese, lard, syrup, sugar or other article of food or drink made or offered for sale within the State of Ohio as an article of food or drink, and to prosecute or cause to be prosecuted, any person or persons, firm or firms, corporation or corporations engaged in the manufacture or sale of any adulterated or counterfeit article or articles of food or drink in violation of or contrary to any law or laws of the State of Ohio.

His powers.

SECTION 3. Said commissioner or any assistant shall have power, in the performance of his duties, to enter into any creamery, factory, store, salesroom or place where he has reason to believe food or drink is made, prepared, sold or offered for sale, and to open any cask, tub or package containing or supposed to contain any article of food or drink, and to examine or cause to be examined and analyzed the contents thereof; and it shall be the duty of any prosecuting attorney in any county of the State, when called upon by said commissioner or any assistant, to render him any legal assistance in his power to execute the laws, and to assist in the prosecution of cases arising under provisions of this act.

Assistants.

SECTION 4. Said commissioner may, with the consent and advice of the governor, appoint not more than two assistants, whose salaries shall not exceed one thousand dollars each, per annum, and their necessary and reasonable expenses incurred in the discharge of their official duties, payable in time and manner like those of the commissioner, and on itemized vouchers approved by the said commissioner. The said commissioner shall have power, with the advice and consent of the governor and the secretary of the Ohio State board of agriculture, to appoint an expert, to be of acknowledged standing and ability and integrity, to examine samples of food and drink submitted to him by the commissioner or his assistants; the compensation of said expert shall be for the actual number of determinations or examinations required and made, and shall not exceed for each determination or examination two-thirds the price usually paid experts for a single determination or examination of a similar kind; the compensation of said expert shall be paid at the end of each quarter

Expert.

of the calendar year, on itemized vouchers certified by the said commissioner; which amount of expense shall not exceed in any one year the sum of $600, the same to be paid out of the general revenue fund.

Disposition of fees and fines.

SECTION 5. All fines assessed and collected under prosecutions begun or caused to be begun by said commissioner or his assistants, shall be paid, one-half into the State treasury, and one-half into the county treasury where the prosecution took place; and all license fees, if any, shall be paid into the State treasury.

Office room; report.

SECTION 6. Said commissioner shall be furnished a suitable office in the department of the State board of agriculture within [the] State capitol building, and shall make an annual report to the governor, containing an itemized statement of all expenses incurred and fines collected, with such statistics as he may regard of value; and said report shall be published each year as a supplement to the annual agricultural report, and two thousand copies thereof shall be published separately, in pamphlet form

SECTION 7. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed May 8, 1886.

[Senate Bill No. 200.]

AN ACT

To authorize certain cities to levy a tax and issue bonds for the purpose of constructing sewers and drains.

Newark authorized to issue sewer bonds

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any municipal corporation which, by the federal census of 1880, had a population of nine thousand six hundred, is hereby authorized and empowered, for the purposes herein set forth, to issue bonds upon the terms herein named, entitled as follows, and to the amounts severally set forth: The East Main street sewer district number one bonds, thirty-six thousand three hundred and seventy-five dollars ($36,375.00); the South Fourth street sewer district number two bonds, thirty-six hundred and twenty-five dollars ($3,625.00). Said bonds are to be issued to enable the city councils of said cities to construct sewers or drains in a portion of said cities in two sewer districts named and numbered as follows: "The East Main street sewer district number one," and "The South Fourth street sewer district number two," according to the plans and specifications adopted by the city councils of said cities and now on file in the office of city clerk of said cities. Said bonds shall be of such denominations as the said city councils shall deem best, in any sum not in excess of the amounts heretofore named, and for a length of time not exceeding twenty years, and at a rate of interest not exceeding six per cent. per annum, payable semi-annually. Said bonds shall not be sold for less than their par value, and the proceeds

thereof, together with such premiums as may be derived therefrom, shall be applied to no other purposes than the purposes herein mentioned. Said bonds shall be signed by the mayor and clerk of said cities, and be sealed with the seal of the corporation.

SECTION 2. The council of said cities are hereby authorized to levy an annual tax not in excess of nine-tenths of one mill on the dollar on the general duplicate of said cities, in addition to the amount now allowed by law, for the redemption of said bonds and the payment of interest thereon, until said bonds and the interest thereon are paid and said bonds redeemed as the same may become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed May 10, 1886.

[House Bill No. 333.]

AN ACT

Making appropriations for the last three quarters of the fiscal year ending November 15th, 1886, and the first quarter of the fiscal year ending February 15th, 1887.

General appropriations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby are appropriated out of any moneys in the general revenue fund, not otherwise appropriated, the following sums, for the purposes hereinafter specified, to-wit:

Adjutant-General's Department:

Salary of adjutant general, one thousand five hundred dollars ($1,500).

Salary of assistant adjutant-general, one thousand one hundred and twenty-five dollars ($1,125).

Salary of chief clerk one thousand and fifty dollars ($1,050).

Salary of assistant clerk, four hundred and fifty dollars ($450).

Salary of four transcribing clerks, three thousand five hundred and forty-three dollars and thirty-four cents ($3,543.34).

Salary of superintendent of state arsenal, nine hundred dollars ($900).

Contingent expenses, and inspection of Ohio national guard, one thousand one hundred and twenty-five dollars ($1,125).

Repairs, state arsenal, fifty dollars ($50).

Transportation of indigent soldiers, one hundred dollars ($100).

For making copy of soldiers' roster for publication, seven thousand dollars ($7,000).

Care of military stores and freight on arms, nine hundred dollars ($900).

For two new closets for senate and repair of old ones, one thousand dollars ($1,000).

Ohio National Guard:

Pay of Ohio national guard in camp, fifteen thousand dollars ($15,000).

Transportation of Ohio national guard, eight thousand six hundred and fifty-seven dollars and seventy-five cents ($8,657.75).

Subsistence of Ohio national guard, five thousand two hundred and five dollars and seventy-eight cents ($5,205.78).

Incidental expenses of military companies, ten thousand eight hundred dollars ($10,800).

Horse hire for batteries, one thousand two hundred dollars ($1,200).

Uniforms for Ohio national guard, six thousand dollars ($6,000).

Overcoats and blankets for Ohio national guard, five thousand dollars ($5,000).

Rent of encampment grounds, etc., four thousand dollars ($4,000).

State House and Grounds:

Salary of superintendent of laborers, six hundred and seventy-five dollars ($675)

Salary of engineer, seven hundred and fifty dollars ($750).

Salary of two firemen, six months, four hundred and fifty dollars ($450).

Salary of janitor of flag room, five hundred and forty dollars ($540).

Salary of visitors' attendant, five hundred and forty dollars ($540).

Salary of day policeman, five hundred and forty dollars ($540).

Salary of night policeman, six hundred dollars ($600).

Salary of four regular laborers, one thousand eight hundred and seventy five dollars ($1,875).

Extra labor, one thousand seven hundred dollars ($1,700).

Materials and repairs, one thousand five hundred dollars ($1,500).

Fuel for state house, one thousand three hundred and fifty dollars ($1,350).

Water rent for state house, one thousand dollars ($1,000).

Care and repairs of heating apparatus, nine hundred dollars ($900).

Agriculture:

Encouragement of, four thousand five hundred dollars ($4,500).

Contingent expenses of board, six hundred and fifty dollars ($650).

Agricultural Experiment Station:

Expenses of, four thousand dollars ($4,000).

Attorney-General:

Salary of attorney-general, eleven hundred and twenty-five dollars ($1,125).

Salary of clerk, seven hundred and fifty dollars ($750).

Contingent expenses, two hundred dollars ($200).

Fees on collections, three hundred and seventy-five dollars ($375).

Board of Public Works:

That there is hereby appropriated from any money coming into the treasury from the public works, the following sums, to-wit:

For the maintenance, repair, compensation of superintendent and other employes of the public works, not otherwise herein provided for, the receipts from tolls, rents, fines, and other income arising from the public works not otherwise appropriated; provided, that all receipts of the Miami and Erie canal shall be appropriated to the use and maintenance of said canal.

That there is hereby appropriated to the Muskingum improvement, for the repair and putting in order the same, twelve thousand dollars ($12,000).

For repairing and putting in navigable condition the Walhonding canal, ten thousand dollars ($10,000).

For Miami and Erie canal, ten thousand dollars ($10,000).

For northern division of Ohio canal, ten thousand dollars ($10,000); provided, also, that all receipts of the Ohio canal shall be appropriated to the use and maintenance of said canal.

That there is hereby appropriated for repair and putting in order the southern division Ohio canal, forty-five thousand dollars ($45,000), twenty thousand dollars of said amount to be applied to the repair and putting in order that part of said canal extending from and including the Brush Creek Aqueduct and the Ohio river.

For Hocking canal, five thousand dollars ($5,000).

That there is hereby appropriated to the Western Reserve and Maumee road whatever may be collected and paid into the treasury to the credit of said road.

Salaries of members, one thousand nine hundred dollars ($1,900).

Salaries of engineers, two thousand dollars ($2,000).

Attorney's fees, five hundred dollars ($500).

Contingent expenses, five hundred dollars ($500).

Auditor of State:

Salary of auditor, two thousand two hundred and fifty dollars ($2,250).

Salary of chief clerk, one thousand five hundred dollars ($1,500).

Salary of book-keeper, one thousand two hundred dollars ($1,200).

Salary of railroad and bank clerk, one thousand one hundred and twenty-five dollars ($1,125).

Salary of land clerk, one thousand one hundred and twenty-five dollars ($1,125).

Salary of canal and trust fund clerk, one thousand and fifty dollars ($1,050).

Salary of statistical clerk, nine hundred dollars ($900).

Contingent expenses, one thousand dollars ($1,000).

Claims for veteran bounties, two hundred and fifty dollars ($250).

Shelving and cases for vouchers and records, two hundred dollars ($200).

Board of State Charities:

Expenses of the board, two thousand and nine hundred dollars ($2,900).

Commissioner of Statistics of Labor:

Salary of commissioner, one thousand and five hundred dollars ($1,500).

For contingent expenses and clerk hire, one thousand and three hundred dollars ($1,300).

Furniture and repairs, fifty dollars ($50).

Commissioner of Railroads and Telegraphs:

Salary of commissioner, one thousand five hundred dollars ($1,500).

Salary of chief clerk, nine hundred dollars ($900).

Salary of assistant clerk, eight hundred dollars ($800).

Contingent expenses, two hundred and fifty dollars ($250).

Contingent expenses outside of office, one hundred and eighty dollars ($180).

Experts to examine bridges, eight hundred dollars ($800).

Commissioner of Common Schools:

Salary of commissioner, one thousand five hundred dollars ($1,500).

Salary of first clerk, one thousand three hundred and twelve dollars and fifty cents ($1,312.50).

Salary of second clerk, nine hundred dollars ($900).

Contingent expenses, four hundred and eighty dollars ($480).

Traveling expenses, four hundred and fifty dollars ($450).

Boxing and shipping reports, one hundred dollars ($100).

For furniture, one hundred and fifty dollars ($150).

Executive Department:

Salary of governor, three thousand dollars ($3,000).

Salary of private secretary, six hundred dollars ($600).

Salary of executive clerk, one thousand one hundred and twenty-five dollars ($1,125).

Contingent expenses and clerk hire, twenty-one hundred dollars ($2,100).

For new furniture, one hundred dollars ($100).

Salary of lieutenant-governor, six hundred dollars ($600).

Superintendent of Insurance:

Salary of superintendent, one thousand five hundred dollars ($1,500).

Salary of chief clerk, one thousand one hundred and twenty-five dollars ($1,125).

Salary of examining clerk, one thousand one hundred and twenty-five dollars ($1,125).

Salary of book-keeper, nine hundred dollars ($900).

Salary of corresponding clerk, seven hundred and fifty dollars ($750).

Salary of mailing clerk, six hundred dollars ($600).

Salary of actuary, two hundred and fifty dollars ($250).
Salary of extra clerks, six hundred dollars ($600).
Contingent expenses, one thousand and fifty dollars ($1,050.)
Repairs and furniture, twenty-five dollars ($25).

Judiciary:

Salaries of supreme, circuit, superior and common pleas judges, two hundred and thirteen thousand dollars ($213,000).

Inspector of Mines:

Salary of chief inspector, one thousand five hundred dollars ($1,500).
Salaries of district inspectors, two thousand seven hundred dollars ($2,700).
Contingent expenses, two thousand five hundred dollars ($2,500).
Attorney fees, one hundred dollars ($100).

Inspector of Shops and Factories:

Salary of chief inspector, eight hundred and seventy-five dollars ($875).
Salary of inspectors, fourteen hundred and ninety-nine dollars and eighty two cents ($1,499.82).
Contingent expenses and clerk hire, seven hundred and fifty dollars ($750).
Traveling expenses of chief inspector, two hundred dollars ($200).
Traveling expenses of district inspectors, eight hundred and fifty dollars ($850).
For carpets and office furniture, two hundred and fifteen dollars ($215).

Law Library:

Salary of law librarian, one thousand one hundred and twenty-five dollars ($1,125).
Salary of assistant librarian, seven hundred and fifty dollars ($750).
Contingent fund law library, one hundred and fifty dollars ($150).
Furniture and repairs, one hundred dollars ($100).
Shelving for law library and hall-way, one thousand dollars ($1,000).
Books for law library, one thousand three hundred dollars ($1,300).
Telephone, forty-five dollars ($45).

Meteorological Bureau:

Current expenses, two thousand dollars ($2,000).

Ohio State University:

Ordinary repairs, two thousand dollars ($2,000).
Trustees' expenses, three hundred and seventy-five dollars ($375).

Fuel and care of buildings, two thousand dollars ($2,000).
Improvement of campus, one thousand dollars ($1,000).
Green house, six hundred dollars ($600).
Library, two thousand dollars ($2,000)
Veterinary museum, one thousand dollars ($1,000.)
Salaries, ten thousand dollars ($10,000).

The Ohio University:

Current expenses and repairs, five hundred dollars ($500).
Library and reading-room, four hundred and fifty dollars ($450).
Fuel and additional coal shed, three hundred dollars ($300).
Finishing and furnishing wings of buildings, four hundred dollars ($400).
Trustees' expenses, three hundred dollars ($300).
For normal department, five thousand dollars ($5,000).

The Miami University:

Apparatus, five hundred dollars ($500).
Library, one thousand dollars ($1,000).
For care and improvement of campus, five hundred dollars ($500).
Trustees' expenses, two hundred and fifty dollars ($250).

Ohio Penitentiary:

Salaries of managers, two thousand two hundred and fifty dollars ($2,250).
Salaries of officers, fifteen thousand dollars ($15,000).
Salaries of guards, sixty-three thousand dollars ($63,000).
Current expenses, one hundred thousand dollars ($100,000).
Manufacture of gas, eleven thousand dollars ($11,000).
Library, two hundred and fifty dollars ($250).
Rewards to convicts, three thousand seven hundred and fifty dollars ($3,750).
Ordinary repairs, three thousand seven hundred and fifty dollars ($3,750).
Water-works, three thousand dollars ($3,000).
Building new and rebuilding old work-shops, ten thousand dollars ($10,000).
Expenses attending executions, eight hundred and fifty dollars ($850).
For moral and religious instructions, eight hundred dollars ($800).
Prosecution and transportation of convicts, one hundred and twenty thousand dollars ($120,000).

Intermediate Penitentiary:

For construction account, thirty thousand dollars ($30,000).
There is hereby appropriated the sum of fifty-two thousand two hundred and sixty-one and 21-100 dollars ($52,261.21) now remaining in the State Treasury to the credit of said intermediate penitentiary, for the purpose of carrying out the provisions of the law establishing said penitentiary.

Secretary of State.

Salary of secretary of state, one thousand five hundred dollars ($1,500).

Salary of chief clerk, one thousand five hundred dollars ($1,500).

Salary of statistical clerk, one thousand one hundred and twenty five dollars ($1,125).

Salary of stationery clerk, one thousand and twelve dollars and fifty cents ($1,012 50)

Salary of corporation clerk, one thousand and twelve dollars and fifty cents ($1,012.50).

Salary of recording clerk, one thousand and twelve dollars and fifty cents ($1,012.50).

Salary superintendent of book room, six hundred dollars ($600).

Contingent expenses, two hundred dollars ($200).

Distribution of books, five hundred dollars ($500).

Extra clerk hire, six hundred dollars ($600)

Furniture and repairs, two hundred dollars ($200).

Stationery, two thousand one hundred and thirty-three dollars ($2,133).

Printing paper, twenty-seven thousand five hundred dollars ($27,500).

Partition in basement, fifty dollars ($50).

State Library:

Books, magazines and papers, one thousand two hundred and fifty dollars ($1,250).

Salary of state librarian, one thousand one hundred and twenty-five dollars ($1,125).

Salary of assistant librarian, nine hundred dollars ($900).

Contingent expenses, two hundred dollars ($200).

Salary of janitor nine months, three hundred and sixty dollars ($360).

Supervisor of Public Printing.

State printing, twenty-eight thousand dollars ($28,000).

State binding, twenty-three thousand dollars ($23,000).

Salary of supervisor, one thousand three hundred and fifty dollars ($1,350).

Contingent expenses, one hundred dollars ($100).

Supreme Court:

Contingent expenses, three hundred dollars ($300).

Furniture and repairs, one hundred dollars ($100).

Janitor supreme court, law library and clerk's office, four hundred and fifty dollars ($450), to be paid in monthly installments on the order of the chief justice of the supreme court.

Clerk of Supreme Court:

Salary of deputy clerk, nine hundred dollars ($900).

Extra clerk hire, eight hundred dollars ($800).

Contingent expenses, two hundred dollars ($200).

Reporter of Supreme Court:

Salary of reporter, seven hundred and fifty dollars ($750).
Contingent expenses, one hundred dollars ($100).

Treasurer of State:

Salary of treasurer, two thousand two hundred and fifty dollars ($2,250).
Salary of cashier, one thousand five hundred dollars ($1,500).
Salary of two book-keepers, two thousand and twenty-five dollars ($2,025).
Salary of janitor and messenger, four hundred and nine dollars and seventy-five cents ($409.75).
Salary of two night watchmen, one thousand two hundred dollars ($1,200).
Collecting auditor state's drafts, seven hundred dollars ($700).
Alarm telegraph and telephone, forty-six dollars ($46).

Athens Asylum for the Insane:

Current expenses, seventy-five thousand dollars ($75,000).
Carpets and furniture, one thousand dollars ($1,000).
Salaries of officers, three thousand eight hundred and twenty-five dollars ($3,825).
Ordinary repairs, five thousand dollars ($5,000).
Expenses of trustees, three hundred dollars ($300).
Fencing, three hundred dollars ($300).
Painting, one thousand dollars ($1,000).
Grading, one thousand dollars ($1,000).
Books and pictures, one hundred and fifty dollars ($150).
Furniture for new dining rooms and dormitories, five thousand dollars ($5,000).
Two tubular boilers, three thousand five hundred dollars ($3,500).

Cleveland Asylum for the Insane:

Current expenses, seventy-one thousand six hundred dollars ($71,600).
Salaries of officers, three thousand five hundred and eighteen dollars and seventy-five cents ($3,518.75).
Ordinary repairs, four thousand dollars ($4,000).
Books and pictures, one hundred and fifty dollars ($150).
Refrigerator, two thousand five hundred dollars ($2,500).
Fences, five hundred dollars ($500).
Horses, six hundred dollars ($600).
Boilers and pump-house, one thousand five hundred dollars ($1,500).
Painting, one thousand dollars ($1,000).
Carpets, seven hundred and fifty dollars ($750).
New furniture and repairing old, seven hundred and fifty dollars ($750).
For two spring wagons, two hundred and fifty dollars ($250).
For cleaning pond, five hundred dollars ($500).

Columbus Asylum for the Insane:

Current expenses, one hundred and fifteen thousand dollars ($115,000).

Salaries of officers, four thousand one hundred and seventy-five dollars ($4,175).

Ordinary repairs, six thousand five hundred dollars ($6,500).

Repairs of boilers, four hundred dollars ($400).

Painting wards, one thousand two hundred dollars ($1,200).

Library, one hundred dollars ($100).

Grading, one thousand five hundred dollars ($1,500).

Horses and harness and carriages, eight hundred dollars ($800).

Furniture and bedding, five hundred dollars ($500).

Carpets, seven hundred dollars ($700).

Fencing, two hundred dollars ($200).

Repair of gas works, five hundred dollars ($500).

New laundry, one thousand dollars ($1,000).

For repair of asylum telephone, four hundred and thirty dollars ($430).

Dayton Asylum for the Insane:

Current expenses, seventy-two thousand dollars ($72,000).

Expenses of trustees, one hundred dollars ($100).

Salaries of officers, four thousand one hundred dollars ($4,100).

Ordinary repairs, three thousand eight hundred dollars ($3,800).

Horses and cows, six hundred dollars ($600).

Water-heater, five hundred dollars ($500).

Books and pictures, two hundred dollars ($200).

Carpets and furniture, one thousand five hundred dollars ($1,500).

Fencing, five hundred dollars ($500).

Painting, one thousand five hundred dollars ($1,500).

Constructing water reservoir, five thousand dollars ($5,000).

For new green-house, fifteen hundred dollars ($1,500).

For rent of pasture, one hundred dollars ($100).

For rebuilding hog barn and wagon house, fifteen hundred dollars ($1,500).

Toledo Asylum for the Insane:

For completing work under contract for construction, one hundred thousand dollars ($100,000).

Covered ways, fifteen thousand dollars ($15,000).

Bath house, three thousand dollars ($3,000).

Employes' and fire department quarters, five thousand dollars ($5,000).

Barn and stable, two thousand dollars ($2,000).

Ice house and refrigerator, three thousand dollars ($3,000).

Electric lighting, eighteen thousand dollars ($18,000).

Covering steam pipes, fifteen hundred dollars ($1,500).

Tile drainage, eight hundred dollars ($800).

Stone sidewalk, five thousand dollars ($5,000).

Grading, five thousand dollars ($5,000).

Railroad track, two thousand five hundred dollars ($2,500).

Additional water-pipe, one thousand four hundred dollars ($1,400).

Additional hydrants, six hundred dollars ($600).
Gate-valves, two hundred dollars ($200).
Trustees' expenses, one thousand dollars ($1,000).
Fire department, one thousand dollars ($1,000).

Boys' Industrial School:

Current expenses, twenty-five thousand dollars ($25,000).
Salaries, sixteen thousand eight hundred and seventy-five dollars ($16,875).
Trustees' expenses, three hundred and twenty-five dollars ($325).
Ordinary repairs, one thousand one hundred dollars ($1,100.)
Books for boys' library, one hundred and fifty dollars ($150).
Gravel on the road, five hundred dollars ($500).
Completing new shops, two hundred dollars ($200).
Furniture and carpets, five hundred dollars ($500).
Furniture for boys' dormitories, six hundred dollars ($600).
Horses, five hundred dollars ($500).
Cows, two hundred dollars ($200).
For machinery, tools, and raw material, three thousand two hundred dollars ($3,200).
For expenses in attending reformatory conventions, one hundred dollars ($100).
For blacksmith shops, one thousand dollars ($1,000).
For bath-house, fifteen hundred dollars ($1,500).
For rewards to boys, five hundred dollars ($500).

Girls' Industrial Home:

Current expenses, fourteen thousand dollars ($14,000).
Salaries of officers and teachers, eleven thousand five hundred dollars ($11,500).
Expenses of trustees, two hundred and fifty dollars ($250).
Furniture and carpets, five hundred dollars ($500).
Telephone, eighty-three dollars ($83).
Repairs, one thousand dollars ($1,000).
Grading and improving grounds, one hundred and fifty dollars ($150).
Expenses of ladies' visiting committee, one hundred and fifty dollars ($150).
Pictures and engravings, three hundred dollars ($300).
One new family building, fifteen thousand dollars ($15,000).

Institution for the Blind:

Current expenses, twenty-nine thousand dollars ($29,000).
Salaries of officers and teachers, nine thousand and fifty-six dollars ($9,056).
Ordinary repairs, one thousand one hundred dollars ($1,100).
Books and school apparatus, six hundred and twenty-five dollars ($625).
Expenses of trustees, three hundred and twenty-five dollars ($325.)
Furniture, bedding and carpets, two thousand dollars ($2,000).

Steam pipe and heating apparatus, three hundred dollars ($300).

Painting, papering and varnishing, one thousand dollars ($1,000).

Grading and improving grounds, five hundred dollars ($500).

Institution for the Deaf and Dumb:

Current expenses, thirty-eight thousand dollars ($38,000).

Salaries of officers and teachers, etc., thirteen thousand eight hundred dollars ($13,800).

Expenses of trustees, two hundred and fifty dollars ($250).

Ordinary repairs, three thousand dollars ($3,000).

Carpets, four hundred dollars ($400).

Furniture, three hundred dollars ($300).

Painting, eight hundred dollars ($800).

Salary of foreman printing office, four hundred dollars ($400).

Supplies for printing office, one hundred and fifty dollars ($150).

Salary of foreman carpenter shop, five hundred dollars ($500).

Supplies for carpenter shop, three hundred dollars ($300).

Salary of foreman shoe shop, five hundred and fifty dollars ($550).

Supplies for shoe shop, one thousand dollars ($1,000).

Lumber and nails for boxes in State department, six hundred dollars ($600).

Lumber for flooring girls' play-room and boys' dormitory and halls, two hundred dollars ($200).

For tailor shop, extension of shoe shop, carpenter shop and water closet, two thousand dollars ($2,000).

Repairing or purchasing hose for fire department, five hundred dollars ($500).

Institution for Feeble-minded Youth:

Current expenses, eighty thousand dollars ($80,000).

Salaries of officers, five thousand dollars ($5,000).

Ordinary repairs, three thousand dollars ($3,000).

Ohio Soldiers' and Sailors' Orphans' Home:

Current expenses, forty-three thousand dollars ($43,000).

Salaries officers, teachers and matrons, eleven thousand four hundred dollars ($11,400).

Trustees' expenses, one hundred dollars ($100).

Industrial pursuits, three thousand seven hundred dollars ($3,700).

Ordinary repairs, three thousand five hundred dollars ($3,500).

Board walks, one hundred and fifty dollars ($150).

Net earnings, one thousand two hundred dollars ($1,200).

Library, one hundred and fifty dollars ($150).

Sewerage, three hundred dollars ($300).

Support of orphans outside, ten thousand five hundred dollars ($10,500).

Purchase of cows, four hundred dollars ($400).

Purchase of horses, four hundred dollars ($400).

Repairs of foundations of cottages, one thousand four hundred and forty dollars ($1,440).

Water supply, two hundred and fifty dollars ($250).

Repairs of chapel, and for ministerial services, six hundred and fifty dollars ($650).

Furniture and carpets, one thousand two hundred and fifty dollars ($1,250).

Laundry, one hundred and fifty dollars ($150).

Carrying out recommendations of board of visitors, three hundred dollars ($300).

Visiting county homes, one hundred dollars ($100).

For new boilers, one thousand dollars ($1,000).

For new industrial building, ten thousand dollars ($10,000).

Longview Asylum:

Current expenses, eighty thousand dollars ($80,000).

This sum is for the support of the insane in said institution, and shall be paid out in equal monthly installments, and said appropriation shall discharge the State from all legal and equitable obligations to said institution for the year commencing February 15, 1886, and ending February 15, 1887.

Northwestern Ohio Hospital for the Insane:

Support of inmates under contract, fourteen thousand nine hundred and four dollars ($14,904).

Miscellaneous:

For expenses of legislative committee, ten thousand dollars ($10,000).

Live stock commission, one thousand and five hundred dollars ($1,500).

Ohio river commission, six hundred dollars ($600).

Fish commissioners, six thousand five hundred dollars ($6,500), to be paid out on vouchers approved by the commission.

For the enforcement of the fish laws of the State, one thousand dollars ($1,000), to be paid out on vouchers approved by the commission.

For construction of buildings and improvements on the new State fair grounds, twenty-four thousand five hundred dollars ($24,500).

Prosecuting war claims of Ohio vs. general government, one thousand seven hundred and twenty-five dollars ($1,725).

Ohio state forestry bureau, one thousand dollars ($1,000).

For Columbus, Hocking Valley & Toledo Railroad Company, for transporting boys from house of refuge at Toledo, to boys' industrial school at Lancaster, four hundred and sixty-three dollars ($463).

Ohio state horticultural society, one thousand dollars ($1,000), payable to the treasurer of the board of horticulture upon the warrant of the auditor of state.

SECTION 2. The moneys appropriated in the last preceding section shall not be in any way expended to pay liabilities or deficiencies existing prior to February 15, 1886, nor shall they be used or paid out for purposes other than those for which said sums are specifically appropriated as aforesaid.

SECTION 3. In addition to the several appropriations made for the institutions for the insane, blind, deaf and dumb and feeble-minded youth, the girls' industrial home and boys' industrial school, there is hereby appropriated for the use of said institutions any moneys received from sources other than the State treasury, by their respective financial officers, which moneys shall be credited to the current expense funds of said institutions respectively.

SECTION 4. No money appropriated in this act shall be drawn except on a requisition on the auditor of state, which requisition shall state the services rendered or the materials furnished, with the time of such service or of the furnishing of such materials, and be approved by the head of the department or the trustees of the institution, as the case may be.

SECTION 5. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 137.]

AN ACT

To amend sections 3262 and 3264 of the Revised Statutes of Ohio.

Corporations:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3262 as amended February 16, 1883, (80 v. 23), and 3264, are so amended as to read as follows:

Increase of capital stock.

SEC. 3262. A corporation for profit, after its original capital stock is fully paid up, or a corporation not for profit, having a capital stock, may increase its capital stock or the number of shares into which its capital stock is divided, by a vote of the holders of a majority of its stock, at a meeting called by a majority of its directors, at least thirty days' notice of the time, place and object of which has been given by publication in some newspaper of general circulation, and by letter addressed to each stockholder whose place of residence is known; or such increase may be made at any meeting of the stockholders at which all the holders of such stock are present in person or by proxy, and waive in writing such notice by publication and by letter; and also agree in writing to such increase, naming the amount of increase to which they agree; and a certificate of such action of the corporation shall be filed with the secretary of state.

Reduction of capital stock.

SEC. 3264. The board of directors of any such corporation may, with the written consent of the persons in whose names a majority of the shares of the capital stock thereof stands on

the books of the company, reduce the amount of its capital stock and the nominal value of all the shares thereof, and issue certificates therefor; but the rights of creditors shall not be affected or impaired thereby; and a certificate of such action shall be filed with the secretary of state.

SECTION 2. That section 3262, as amended February 16, 1883, (80 v. 23), 3262*a*, as enacted February 17, 1882, (79 v. 110), 3264, and 3821*a*, as enacted April 15, 1882, (79 v. 130), are repealed.

SECTION 3. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 96.]

AN ACT

To amend section 6454 of the Revised Statutes of Ohio, as amended April 29, 1885, (82 v. 168).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6454 of the Revised Statutes of Ohio, as amended April 29, 1885, be amended so as to read as follows:

SEC. 6454. The probate court shall have jurisdiction concurrent with the court of common pleas in all misdemeanors and in all proceedings to prevent crime in the following counties:

Concurrent criminal jurisdiction of probate court.

Cuyahoga, Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshocton, Defiance, Portage, Clermont, Carroll, Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby, Geauga, Mahoning, Jefferson, Monroe, Hancock, Adams, Highland, Licking, Knox, Miami, Fayette, Perry, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, Pike, Summit, Hardin, Delaware, Morgan, Trumbull, Logan, Morrow, Muskingum, Marion, and Warren.

SECTION 2. That said original section 6454, as amended April 29, 1885, be and the same is hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 114.]

AN ACT

To amend section 7334 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7334 be so amended as to read as follows:

Costs on execution of sentence for felony.

SEC. 7334. If the convict is sentenced to confinement in the penitentiary or is sentenced to death, and no property has been levied upon, the sheriff shall deliver such certified cost-bill, having accredited thereon any sums paid on costs, with the convict, to the warden of the penitentiary; but when property has been levied upon and remains unsold, the clerk shall not certify to the sheriff the costs of such conviction, or any part thereof, for payment from the State treasury, but the convict shall be delivered to the warden of the penitentiary in pursuance of his sentence, upon payment of costs of transportation alone.

SECTION 2. This act shall apply to cases now pending in any of the courts of this State.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 149.]

AN ACT

To establish workshops for the blind.

Working Home for the Blind.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be established an institution for giving employment to blind persons, regardless of sex, creed, color or nationality, to be known as the working home for the blind.

Trustees.

SECTION 2. The governor shall appoint, immediately after the passage of this act, with the advice and consent of the senate, three trustees, to whom shall be entrusted the management and control of said institution. The said trustees shall hold office in the order in which they are named; the first for one, the second for two, and the third for three years, and their successors in office shall be appointed for three years thereafter. They shall meet as soon as practical after the appointment, take the necessary oath of office, and organize by electing one of its own members president, and one secretary of the board, who shall serve without any compensation excepting necessary traveling expenses, and for that purpose there is hereby appropriated out of the general revenue fund not otherwise appropriated, the sum of three hundred dollars.

Expense appropriation.

Proposed donations.

SECTION 3. The board shall immediately, upon their organization, receive and consider all propositions of donation of land, buildings or money, and shall have full power and authority to

accept or reject the same; and if any such donation of property be made and accepted by the board, it shall be conveyed in fee simple to the State of Ohio; when such conveyance has been made, the board shall have full power to erect or change buildings thereon as will secure all needful accommodations to be made for the giving of employment to such persons as may be admitted thereto; but in no case shall there be expended or liabilities incurred to exceed the sum of ten thousand dollars ($10,000) for the erection and improvement of buildings, purchase of tools, machinery or any material necessary to carry out the provisions of this act for the object [for] which organized, and for that purpose there is hereby appropriated out of any money to the credit of the general revenue fund, not otherwise appropriated, the sum of ten thousand dollars ($10,000). All accounts and expenditures shall be properly certified by said trustees, or a majority of them, and shall be paid by the treasurer, upon the order of the auditor.

Appropriation for improvements.

Expenditures.

SECTION 4. The trustees shall appoint a superintendent, who shall have his office for three years, unless removed by the trustees for cause; said superintendent shall be qualified in managing the manufactory of such articles as are usually made in such institutions, for which he shall receive for his services a salary not exceeding one thousand dollars ($1,000). The superintendent shall have power to employ other necessary employes, and to remove them upon sufficient cause; the compensation of which shall be fixed by the board.

Superintendent.

SECTION 5. It shall be the duty of said trustees or superintendent to establish and put into execution such rules and regulations as may be deemed expedient for the government of the institution.

Regulations.

SECTION 6. As soon as land is secured, and buildings ready with suitable accommodations, then it shall be their duty to declare the institution open to receive blind workers that are competent mentally and physically, and that are capable of working at any trade that may be established in said institution, and no other.

Opening of institution.

SECTION 7. No person eligible to admission into the Ohio institution for the instruction of the blind shall be admitted.

Eligibility.

SECTION 8. It shall be the duty of the directors of all city and county infirmaries and township trustees to report to the superintendent of said working home the name, sex, age, experience and ability to perform any special kind of work any blind person or persons under their care can perform, the same to be reported on the first day of January or July of each year.

Reports to superintendent from infirmary directors, etc.

SECTION 9. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 167.]

AN ACT

Supplementary to section 7076 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted as supplementary to section 7076 of the Revised Statutes of Ohio, with sectional numbering as herein provided:

Defrauding inn keepers; penalty.

SEC. 7076*a*. Any person who shall obtain food, lodging or other accommodation at any hotel, inn, boarding or eating-house with intent to defraud the owner or keeper thereof shall be fined not exceeding two hundred dollars, or imprisoned in the county jail or city work-house not exceeding three months, or both.

Proof of fraudulent intent.

SEC. 7076*b*. Proof that lodging, food or other accommodation was obtained by false pretense, or by false or fictitious show or pretense of any baggage or other property, or that the person refused or neglected to pay for such food, lodging or other accommodation, on demand, or that he absconded without paying or offering to pay for such food, lodging or other accommodation, or that he surreptitiously removed or attempted to remove his baggage, shall be prima facie proof of the fraudulent intent mentioned in section 7076*a*; but this act shall not apply to regular boarders, nor when there has been an agreement for delay in payment.

Regular boarders, etc.

Notice of provisions of this act.

SEC. 7076*c*. It shall be the duty of every hotel, inn or boarding-house keeper within this State, to keep a copy of this and the two preceding sections printed in large, plain English type, upon the inside entrance door of every public sleeping room, and no conviction shall be had under section 7076*a*, until it be made to appear to the satisfaction of the court that the provisions of this section have been complied with by the person making the complaint.

SECTION 2. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 208.]

AN ACT

Supplementary to an act to suppress and prevent the dissemination of epizootic and communicable diseases of domestic animals in the State of Ohio, passed April 29th, 1885.

Proclamation prohibiting importation of diseased live stock.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever the governor of the State of Ohio shall have good reason to believe that any dangerous, contagious or infectious disease has become epidemic in certain localities in other states, territories or counties, or that there are conditions which render domestic animals of such infected districts liable to convey such

disease, he shall by proclamation prohibit the importation of any live stock of the kind diseased into the State, except under such regulations as may be prescribed by the State board of live stock commissioners and approved by the governor.

Appraisement and killing of diseased animals.

SECTION 2. When in the opinion of the commissioners provided for by the act to which this is supplementary, it shall be necessary to prevent the further spread of any dangerous, contagious or infectious disease among the live stock of the State, to destroy animals affected with, or which have been exposed to any such disease, it shall determine what animals shall be killed, and shall appraise or cause the same to be appraised by disinterested citizens as hereinafter provided, and cause such animals to be killed, and their carcasses to be disposed of as in the judgment of the commission will best protect the health of the domestic animals of the locality; provided, that no animals shall be appraised, except cattle affected with contagious pleuro-pneumonia, or cattle, sheep or swine, affected with foot and mouth disease, or such as have been exposed thereto, nor shall any animal be slaughtered under the provisions of this act, unless first examined by a competent veterinarian in the employ of the commission, and the disease with which it is affected or to which it has been exposed adjudged to be a dangerous and contagious malady.

Compensation for animals destroyed.

SECTION 3. In case of destruction of any animal under the provisions of this act, the compensation to be made for the same by the State, shall be computed upon the basis of the actual value of the diseased animal, if any, at the time of slaughter; for any animal that has been kept in the same building or enclosure two-thirds of such value, and in case [of] other animals destroyed for the extinction of such disease, the full value of the same without reference to the suspicion of contagion; provided, that no compensation shall be made to any person who may have brought animals into the State affected with such contagious disease, or from a district in which such contagious disease existed, or who may have willfully concealed the existence of such disease among his stock or on his premises, or may [have] by willful neglect or purposely contributed to the spread of such contagion, and in appraising animals to be slaughtered as herein provided, no allowance shall be made on account of such animals being thoroughbred, or pedigree stock.

Appropriation to pay claims, how made.

SECTION 4. All claims against the State by owners of animals slaughtered under the provisions of this act, shall, when approved by the board of live stock commissioners, be reported by said commission to the governor, to be by him communicated to the legislature with the recommendation, if the matter is approved by him, that the proper appropriation be made to pay such claims.

SECTION 5. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 211.]

AN ACT

To change the time for holding the October term of the court of common pleas within and for the county of Guernsey, for the year 1886.

Changing time of Guernsey common pleas court.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time of commencing the October term of the court of common pleas within and for the county of Guernsey, as fixed by the judges of the eighth judicial district for the year eighteen hundred and eighty-six, be and the same is hereby changed so that the same shall begin on Monday, the 4th day of October, 1886, instead of Monday, the 18th day of the same month.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 547.]

AN ACT

To provide for the improvement of streets and alleys in cities of the first grade of the second class.

Improvement of Columbus streets and alleys.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the second class, the city councils of any such cities shall have authority to cause any of the streets or avenues or parts thereof of said city to be paved with granite or other stone block, asphalt or other permanent material, and the alleys thereof, or any part, with cobble stones or boulders, and wherever needed in connection therewith to curb and gutter said streets, avenues or alleys, and to ordain that said improvements shall be paid for and assessed upon the property abutting on the same in accordance with the various provisions of this supplement, and in accordance with the various provisions of law now enacted or hereafter enacted applicable thereto and not inconsistent with this act.

SECTION 2. In order to provide for the payment of the costs and expenses of said improvements to be assessed on the abutting property, the councils may, from time to time, (as such improvement progresses), issue the bonds of such cities in such sums as will be required, in all to an amount not exceeding the contract price of the work and the other expenses attending the same, and interest as hereinafter provided for; said bonds shall be issued as other bonds of such cities are issued, but they shall bear the name of the street or avenue or alley to whose improvement they are issued, and shall state therein that they are to be paid by an assessment upon the property abutting on the said improvement; said bonds shall extend over a period of at least eight years, to be provided in the ordinance directing the improvement; they

shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, on the first day of July and January, and principal and interest payable at the office of the city treasurer.

SECTION 3. The said bonds shall be negotiated at not less than par, as the other bonds of such cities are negotiated, and the proceeds shall be applied solely to pay for said improvement, and the proceeds thereof shall only be paid upon the certificate of the city engineer and superintendent herein provided for, that the work has been done according to the contract. When the whole work is done, the amount of the bonds sold to pay for the same, and the interest thereon to the next interest day, when assessments can be collected as hereinafter provided to pay the same, shall be taken as the cost of the said improvement to be paid by the abutting property owners, and that amount shall be assessed equally by the front foot of property fronting or abutting on the said improvement.

SECTION 4. Such assessment shall be placed upon the tax duplicate, and shall be payable in equal installments to meet said bonds provided for in the ordinance ordering said improvements, at the county treasurer's office, with interest at the rate provided in said bonds, payable semi-annually, from the date to which such semi-annual interest was computed, on the amount of said bonds, or so much as remains unpaid, from time to time, until all said bonds and interest are fully paid.

SECTION 5. Such assessments, with the interest accruing thereon, shall be a lien on the property abutting upon the street, avenue or alley from the time the contract is entered into for the making of said improvement, and shall remain a lien until fully paid, having precedence of all other liens except taxes, and shall not be divested by any judicial sale unless the payment of the same is provided for from the proceeds of such sale; provided, such lien shall be limited to the usual depth of the lots or lands abutting on said improvement. No mistakes in the description of the property or the name of the owner or owners shall impair the said lien.

SECTION 6. Any owner of property against whom an assessment shall have been made for such improvement shall have the right to pay the same, or any part yet remaining unpaid, in full, with interest thereon, to the next semi-annual payment due on said assessment; such payment shall discharge the lien on the property. If any owner shall sub-divide any abutting property after such lien attaches, he may discharge the same upon any part thereof in like manner.

SECTION 7. All moneys received from such assessments shall be appropriated by the proper authorities of the cities solely to the payment of the interest and the redemption of the bonds issued for said improvement, or any renewal thereof. If any bond or interest shall be due, and no money is in hand to pay the same, the cities shall be authorized to make a temporary loan to pay the same; but such lien shall continue in full force on the abutting property for the full assessments not paid, and accruing interest for such temporary loan, in behalf of such city.

SECTION 8. When such ordinance is enacted, the councils of such cities of the first grade of the second class may designate two or more owners of property abutting on said improvement, who, with the city civil engineer, shall constitute a board, which, after the contract for the improvement has been made by the council under section 2303, may elect a superintendent who shall see that the said contract is performed according to its true intent, and all orders of the engineer in furtherance thereof are obeyed. When completed the said superintendent and engineer shall certify to the same, and shall make a proper plat and assessment for said improvement on the abutting property. The property owners on such board shall serve without compensation, but the superintendent shall be paid such compensation as shall be agreed upon by said board, and such payments shall be a part of the cost of said improvement thereof.

SECTION 9. In any action to enforce or enjoin any assessment, the court shall disregard any irregularity or defect, whether in the proceedings of the said board or council, or any officer of the corporation, or in the plans or estimates; and the acceptance of the work by the council upon the certificate of the superintendent or city engineer shall be presumptive evidence that the contract has been complied with, and the assessment exists; but if it be shown that there is any substantial defect of the improvement, or any fraud in the contract price of the work or materials, the court may order such deduction therefor from the cost of said improvement, and such deduction shall be ratably deducted from the assessments on all the property abutting on said improvement, and the court may make such order in regard to the costs, where such substantial defect or fraud is found, as to the court shall seem proper.

SECTION 10. The term owner in this act shall be construed to include all corporations, private, public, State or municipal.

SECTION 11. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 586.]

AN ACT

To authorize the council of any incorporated village within this State, which at the last federal census had, or at any subsequent federal census may have, a population of not less than 2,780 nor more than 2,785, to issue bonds for the purpose of meeting and providing for a deficiency in the general funds of such villages and also for the purpose of improving the streets thereof.

Authorizing New Straitsville to issue bonds to meet a deficiency.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village within this State, which at the last federal census had, or at any subsequent federal census may have, a population of not less than 2,780 nor

more than 2,785, is hereby authorized to issue bonds not exceeding in amount the sum of three thousand dollars, for the purpose of meeting and providing for a deficiency in the general funds of such villages, and also for the purpose of improving the streets thereof.

SECTION 2. Said bonds shall be signed by the mayors of such villages, and countersigned and registered by the clerks thereof, and may be issued in denominations of not less than one hundred dollars nor more than five hundred dollars, bearing interest at the rate of six per centum per annum, payable annually, the principal and interest to be paid in one, two, three, four, five and six years from the date of their issue, and in such amounts each year as the council of such villages may direct, and said bonds shall not be sold for less than par.

SECTION 3. For the payment of the principal and interest of said bonds, as the same shall become due, the councils of such villages are hereby authorized and required to levy a tax on all taxable property within the corporate limits of said villages, in such amounts as will each year meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the county auditor and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[Senate Bill No. 39.]

AN ACT

To authorize the construction of lines for conducting electricity for light and power purposes and the contracting by municipalities for lighting streets, and other public places with electricity.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That a company organized for the purpose of supplying electricity for power purposes, and for lighting the streets and public and private buildings of a city, village or town, may manufacture, sell and furnish the electric light and power required therein for such and other purposes, and such companies may construct lines for conducting electricity for power and light purposes through the streets, alleys, lanes, lands, squares and public places of such city, village or town, by the erection of the necessary fixtures, including posts, piers and abutments necessary for the wires, with the consent of the municipal authorities of the city, village or town, and under such reasonable regulations as they may prescribe. Provided, that all wires erected and operated under the provisions of this act shall be covered with a waterproof insulation, and said poles, piers, abutments and wires shall be so located and arranged as not to interfere with the successful operation of existing telegraph and telephone wires.

Powers of electric light and power companies.

Contracts with municipalities.

SECTION 2. The municipal authorities of any city, village or town, in which any electric light company is organized, may contract with any such company for lighting the streets, alleys, lands, lanes, squares and public places in such city, village or town.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed May 12, 1886.

[Senate Bill No. 83.]

AN ACT

To amend sections 2, 4 and 5 of an act entitled "an act for the incorporation of collateral loan companies," passed April 16, 1885, (O. L., vol. 82, pp. 132, 133.)

Collateral loan companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2, 4 and 5 of an act entitled "an act for the incorporation of collateral loan companies," passed April 16, 1885, be so amended as to read as follows:

Capital stock; power to borrow.

SEC. 2. The capital of said company shall be raised by subscription. It shall not exceed five hundred thousand dollars, in shares of fifty dollars each; and no one person shall own more than one-seventh of the stock subscribed. It shall have the power to borrow on its own notes, not exceeding the amount of its capital paid in, and for periods not exceeding one year.

Organization.

SEC. 4. When twenty thousand dollars have been duly subscribed, and one-fourth of said subscribed capital has been actually paid in, the stockholders may organize, as hereinbefore provided, and proceed to transact business under the provision of this act.

Loans; rate of interest, etc.

SEC. 5. When the company has disposable funds, it shall loan on all goods and chattels offered, embraced within its rules and regulations, in the order in which they are offered; with the exception that the company shall always discriminate in favor of small loans to the indigent. It shall loan to four fifths of the appraised value on gold and silver plate and ware, and to two-thirds of such value on all other goods and chattels as aforesaid. In no case shall the rate of interest charged exceed eight per cent. per annum, and any other charges, including insurance, investigation of titles, and the expense of the custody and care of all property offered as security shall not exceed ten per cent. per annum on the amount loaned.

SECTION 2. That said original sections 2, 4 and 5 of said act be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed May 12, 1886.

[Senate Bill No. 121.]

AN ACT

To amend sections 7338, 7341 and 7343, and to repeal section 7340 so as to authorize the warden or a deputy warden of the Ohio penitentiary to perform the duties of executioner, (vol. 82, Ohio Laws, pp. 169, 170).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 7338, 7341 and 7343 of the Revised Statutes be amended so as to read as follows:

Mode, place and time of inflicting the death penalty.

SEC. 7338. 1. The mode of inflicting the punishment of death shall be by hanging by the neck until the person is dead; and the warden of the Ohio penitentiary, or in case of his death, inability or absence, a deputy warden, shall be the executioner; and when any person shall be sentenced, by any court of the State having competent jurisdiction, to be hanged by the neck until dead, such punishment shall only be inflicted within the walls of the Ohio penitentiary, at Columbus, Ohio, within an enclosure to be prepared for that purpose under the direction of the warden of the penitentiary and the board of managers thereof, which enclosure shall be higher than the gallows, and so constructed as to exclude public view. 2. All executions of the death penalty by hanging shall take place according to the provisions of this act, and on the day designated by the judge passing sentence, but before the hour of sunrise of the designated day, and the warden or a deputy warden executing the sentence shall receive for his services fifty dollars, to be paid out of any fund on hand appropriated for the maintenance and support of the Ohio penitentiary.

Warden's fees.

Who may attend executions.

SEC. 7341. Besides the warden or his deputies, the following persons may be present at the execution, but none others: clergymen in attendance upon the prisoner, such other persons as the prisoner may designate, not exceeding six in number, the chaplain and board of managers of the penitentiary, and reporters of all the newspapers of the county in which the prisoner was indicted, tried, convicted and sentenced.

Execution and return of warrant.

SEC. 7343. Unless a suspension of execution be ordered by the supreme court, or two judges thereof, the warden or deputy warden shall proceed at the time and place named in the warrant, to cause the prisoner sentenced to be hanged by the neck until he be dead; and of the manner of his execution of the warrant and his doings thereon, he shall forthwith make return to the clerk of the county from whence the prisoner was sentenced, who shall record the warrant and returns in the records of the case.

SECTION 2. Said original sections 7338, 7340, 7341 and 7343 be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed May 12, 1886.

[Senate Bill No. 127.]

AN ACT

To amend an act entitled an act "to authorize certain cities to contract with water companies," passed May 4, 1885.

Certain cities may contract with water companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all cities of the fourth grade of the second class in which water works are now erected, constructed and existing, or in which they may hereafter be erected, whether such water works are owned by an incorporated company or by an individual or individuals, shall have power to contract with such company, owner or owners of such water works for supply of water for fire purposes, streets, squares and other public places within the corporate limits, and for supplying the citizens of such municipal corporation with water, or any or either of them for any term not exceeding twenty years.

SECTION 2. That the act passed May 4, 1885, (vol. 82, page 261), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed May 12, 1886.

[Senate Bill No. 151.]

AN ACT

To provide for the publication and distribution of the roster of Ohio soldiers.

Publication of roster of Ohio soldiers: appropriation.

Mode of publication.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the State treasury to the credit of the general revenue fund, not otherwise appropriated, the following sum, for the purpose herein named, to-wit: For the publication of two volumes of the roster of the Ohio soldiers, authorized by senate joint resolution, adopted March 15, 1884, the sum of twenty thousand dollars ($20,000). The publication of said volumes shall be under the direction of the commissioners of public printing, together with the adjutant-general, who shall, within sixty days after the passage of this act, contract for the publication of said volumes, in the manner provided for in sections 320 and 321 of the Revised Statutes of Ohio, and who shall determine the size and style of type and page, quality and weight of paper, and style of binding, and they shall have printed and bound as speedily as possible, consistent with proper execution of the work, an edition of ten thousand copies of each of said volumes; provided, the cost of said publication shall not exceed one dollar per volume of not less than seven hundred and fifty pages.

SECTION 2. The distribution of said volumes shall be under the direction of the adjutant-general, and shall be as follows: **Manner of distribution.**

To each member of the general assembly, ten copies;

To the adjutant-general, for distribution to the adjutants-general of each state and territory, and proper officials of the war department at Washington, D. C., sixty copies;

To each of the State officers of Ohio, and to each of the various State departments and institutions, one copy;

To the State library, fifty copies, for exchanges, and ten copies to be retained permanently therein;

To each incorporated public library of the State, one copy;

To each post of the grand army of the republic, on condition that if the post be disbanded at any time, the same shall be returned to the State library, one copy, and to the department of Ohio grand army of the republic and loyal legion, each one copy;

To each county recorder, to be by him kept in his office and transferred to his successor as other public records, one copy.

The remainder of said copies after such distribution, shall be placed on sale by the adjutant-general, at a price not exceeding one dollar per volume. He shall keep a record of such sales, and shall, at the end of each quarter of the fiscal year, pay into the State treasury, the sum received, until all of said volumes are sold, unless otherwise directed by the general assembly; provided, that he shall not sell more than one copy of each of said volumes to the same person. **Copies to be sold.**

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed May 12, 1886.

[House Bill No. 404.]

AN ACT

To amend section 2689*a* of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2689*a* of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 2689*a*. The aggregate of all taxes levied or ordered by any other municipal corporation than cities of the first grade of the first class, including the levy for general purposes, above the tax for county and State purposes, and excluding the tax for schools and school-house purposes shall not exceed in any one year, in cities of the second grade of the first class, nine and one-half mills, for sewerage purposes three mills, and such further rate as may be necessary to pay the interest on the public debt, and to create a sinking fund as provided in sec. 2712; in cities of the third grade of the first class, four hundred and fifty thousand **Maximum tax in municipalities other than Cincinnati.**

dollars ($450,000); provided, however, that out of such funds the interest on the indebtedness of such corporation shall be first paid; in cities of the first and second grades of the second class, eight mills, and in addition thereto, such further rate not exceeding five-eighths of one mill, as may be necessary to create a sinking fund for the payment of the principal and interest of the bonds of said cities, that may hereafter be issued for the purpose of building and maintaining main trunk sewers in such cities; in cities of the third grade of the second class, twelve mills; in cities of the fourth [grade] of the second class, nine mills; in villages of the first class, eight mills, and in all other villages, ten mills on each dollar of the value of any property as valued for taxation on the county tax-list; provided, however, that in all cities of the fourth grade of the second class, such further rate may be levied in addition to the foregoing limitation as will enable the cities to comply with the terms of any contract entered into by such cities, or any of them, under the provisions of section 2434, as amended January 29, 1881, (O. L., vol. 82, p. 11), and also provided that the councils of the municipalities mentioned in this section shall, annually, at the time the rate of levy is fixed, provide by ordinance for the distribution of the tax among the several departments of the corporation in such proportion to their needs as the council may deem necessary, and at no time thereafter shall the amounts specified as necessary for the purposes named be changed, and all transfers of funds from one account to another are hereby expressly prohibited.

SECTION 2. Said original section 2689*a* be and the same is hereby repealed; and this act shall be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed May 12, 1886.

[House Bill No. 407.]

AN ACT

Making appropriations to meet deficiencies and pay liabilities.

Deficiency appropriation.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and are hereby appropriated from any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums of money for the purposes herein named, to wit:

Secretary of State:

Printing paper, seventy-six dollars and five cents ($76.05).
Official advertising, two dollars and fifty cents ($2.50).

State Library:

Books, magazines and papers, five hundred and twenty-eight dollars and ninety-one cents ($528.91).
Contingent expenses, forty-six dollars ($46).

Supervisor of Public Printing:

State printing, five thousand three hundred and twenty-six dollars and eighty-four cents ($5,326.84).

Constitutional amendments, one hundred and fifty-seven dollars and ninety-five cents ($157.95).

Dayton Asylum for the Insane:

Salaries of officers, seventy-nine dollars and seventy-eight cents ($79.78).

Boys' Industrial School:

Trustees' expenses, one hundred and eighty-four dollars and sixty cents ($184.60).

Adjutant General's Department and State House and Grounds:

Material and repairs, one hundred seventy-eight and 10-100 dollars ($178.10).

Care of military stores and freight on arms, thirty-three dollars and forty-three cents ($33.43).

Contingent expenses and inspection, seventy-four dollars and twenty-two cents ($74.22).

Care and repairs of heating apparatus, forty-seven dollars and seventy-five cents ($47.75).

Transporting indigent soldiers to Home, sixteen dollars and seventy cents ($16.70).

Fuel for State house, one hundred and ten dollars and fifty-two cents ($110.52).

Extra labor at State house, one hundred and ninety-nine dollars and sixty cents ($199 60).

Assistant clerk adjutant general, eight dollars and eighty-four cents ($8 84).

Draping State house at obsequies of Vice-President Hendricks, six hundred and thirty five dollars and fifteen cents ($635.15).

Draping State house at obsequies of Judge Okey, eighty five dollars and sixty four cents ($85.64).

Draping State house at obsequies of General U. S. Grant, one thousand two hundred and eighty-five dollars and twenty-eight cents ($1,285.28).

Pedestal for bell, fifteen dollars and seventy-five cents ($15.75).

Brass railing around pictures of State officers and members of 66th General Assembly, ordered by Adjutant-General Finley, one hundred dollars ($100).

Subsistence O. N. G. in Hocking Valley riots, 1884, four dollars and fifty cents ($4.50).

Transporting subsistence Hocking Valley riots, fourteen dollars and thirty-five cents ($14.35).

Per diem of Ohio National Guard at Washington C. H., on order of sheriff, and subsistence of same at time of cyclone, one thousand three hundred and ninety-seven dollars ($1,397).

Subsistence of O. N. G. at Hocking Valley riots, eighty dollars and sixty cents ($80.60).

Firing guns at obsequies of General U. S. Grant, on order of adjutant general, seven hundred and twenty-seven dollars and eighty-four cents ($727.84).

Forage for battery horses at annual encampment, one hundred and forty-nine dollars and twenty-nine cents ($149.29).

Board of State Charities:

Expenses of board, one hundred and ninety-two dollars and thirty-six cents ($192.36).

Board of Public Works:

Salaries of members, one hundred and ninety-nine dollars and ninety-five cents ($199.95).

Superintendent of Insurance:

Salaries of extra clerks, two hundred and thirty-eight dollars and thirty-three cents ($238.33).

Inspector of Mines:

Contingent expenses mine inspector, two hundred and eighty-one dollars and fifty-seven cents ($281.57).

Ohio Penitentiary:

Salaries of guards, six thousand three hundred and seventy-three dollars ($6,373).

Water-works, five thousand six hundred and seventy dollars and eighty-two cents ($5.670.82).

Repairs, nine hundred and forty-three dollars and twenty cents ($943.20).

Building new and rebuilding old work-shops, forty-three hundred and seventeen dollars and fifteen cents ($4,317.15).

Transportation and prosecution of convicts, sixteen thousand seven hundred and sixty-four dollars and forty-five cents ($16,764.45).

Ohio Soldiers' and Sailors' Orphans' Home:

Ordinary repairs, four hundred and forty-nine dollars and ninety-three cents ($449.93).

Industrial pursuits, one thousand one hundred and ninety-four dollars and sixty-seven cents ($1,194.67).

Hospital, one hundred and forty-seven dollars and forty-four cents ($147.44).

Furniture and carpets, eighty-eight dollars and seventy-five cents ($88.75).

Carrying out recommendation board of visitors, fifty-eight dollars and forty-one cents ($58.41).

Miscellaneous:

Live stock commission, two hundred and fifty-seven dollars and twenty cents ($257.20).

Telephone rent (H. R.), fifteen dollars ($15).

Lumber for two platforms, house of representatives, thirty-seven dollars and fifty cents ($37.50).

Draft protectors for windows, three dollars and sixty cents ($3.60).

Repairs of punching press (H. R.), five dollars and fifty cents ($5.50).

Care of both houses during adjournment, and for assistant to Fred. Blenkner, twenty-five dollars ($25).

Lettering windows to house clerk's office, two dollars ($2).

C. Huston, account for soap, sponges, brushes, etc., for house of representatives, sixty dollars and ninety five cents ($60.95).

Bill of Moler & Bowland, supplies for wash-rooms, twenty-six dollars and thirty-seven cents ($26.37).

Bill of Kinnear & Co., work and materials, twenty-seven dollars and ninety-five cents ($27.95).

Bill of G. T. Tress, ten dollars and forty-five cents ($10.45).

Bill of Aston & Huff, repairs in house of representatives, twenty-five dollars and forty-five cents ($25.45).

Bill of J S. Abbott & Co., eight dollars and eighty-five cents ($8.85).

Bill of Krauss & Dobbie, platform, carpets, etc., sixty-eight dollars and forty-eight cents ($68.48).

Repairs of settees and seats, Halm and Bellows, fifty-one dollars ($51).

Wardrobe, etc., in house clerk's office, sixty dollars and twenty-five cents ($60.25).

Bill of Halm & Bellows, repairs of furniture, etc , one hundred and six dollars and fifty-nine cents ($106.59).

Bill of Westwater & Co., supplies for house of representatives, two hundred and eighteen dollars and fifty cents ($218.50).

Bill of Kilbourne, Jones & Co., repairs, etc., thirty dollars and ninety cents ($30.90).

Bill of Krauss & Dobbie, matting and carpet, two hundred and twelve dollars and seventy cents ($212.70).

Expenses of inauguration of Governor Foraker, one hundred and thirty-three dollars ($133).

Chandelier in office of inspector of shops and factories, fifteen dollars ($15).

Bill of Andrew Schwarz, repairs in auditor's office, two dollars and twenty-five cents ($2.25).

Bill of A. L. Yardley, for extension ladder, twelve dollars ($12).

Balance due Northwestern Ohio hospital for the insane, on contract, two hundred sixty-eight and 21-100 dollars ($268.21).

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed May 12, 1886.

[House Bill No. 256.]

AN ACT

To authorize cities of the first grade of the first class to adjust certain claims and to issue bonds for their payment.

Authorizing Cincinnati to adjust claims growing out of construction of Southern Railway.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever any city of the first grade of the first class shall have built a railway extending from such city into another state, or may hereafter build any such railway, and such city or a board of trustees of said railway shall have appropriated or occupied in whole or in part to the uses and purposes of such railway, any street, alley, road or avenue within such city, and when suits have been brought and judgments obtained against such city or board of trustees of said railway for damages by reason of such appropriation, it shall be the duty of the city solicitor to certify such judgments as are unreversed to the board of trustees of the sinking fund of such city. The board of trustees of the sinking fund are thereupon authorized to issue the bonds of such city in a sum not exceeding one hundred thousand dollars, bearing interest not to exceed five per cent. per annum, and payable at such times as may, in their opinion, be to the best interests of said city; said bonds shall be secured by the pledge of the faith of said city, and a tax, which it shall be the duty of the city council of said city annually to levy upon all the taxable property of said city, in a sufficient sum to pay the interest thereon and to provide a sinking fund for the final redemption of said bonds. The city solicitor of said city is further authorized, by and with the consent of the board of trustees of the sinking fund of such city, to compromise and adjust all claims for damages to abutting property by reason of such appropriation. From the proceeds of said bonds, the board of trustees of the sinking fund of such city are further authorized to pay such unreversed judgments so certified, and settle such claims so adjusted.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 13, 1886.

[House Bill No. 317.]

AN ACT

To amend section 4717 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4717 of the Revised Statutes of Ohio be so amended as to read as follows;

Labor on the highways.

SEC. 4717. All male persons between the ages of twenty-one and fifty-five years, able to perform or to cause to be performed the labor herein required, except every honorably discharged soldier who served in the army of the United States during actual

war, pensioners of the United States government, acting and contributing members of companies, troops and batteries of the Ohio national guard during their membership, and any person who is a member of any fire engine, hook and ladder, hose, or other company, for the extinguishment of fire or the protection of property at fires, under the control of the corporate authorities of any municipal corporation, and who receives no pay for such services during the time he may continue an acting member of such company, shall be liable, annually, to perform two days' labor on the highways, under the direction of the road supervisor of the road district in which he resides.

SECTION 2. That section 4717 of the Revised Statutes is repealed.

SECTION 3. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 13, 1886.

[House Bill No. 470.]

AN ACT

To amend section 3336 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3336 of the Revised Statutes of Ohio be so amended as to read as follows:

SEC. 3336. Every company shall have attached to each locomotive engine passing upon its road, a bell of the ordinary size in use on such engines, and a steam whistle; and the engineer or person in charge of an engine in motion, and approaching a turnpike, highway, or town road crossing, upon the same level therewith, and in like manner when the road crosses any other traveled place, by bridge or otherwise, shall sound such whistle at a distance of at least eighty and not further than one hundred rods from the place of such crossing; and ring such bell continuously until the engine passes such road crossing; but the provisions of this section shall not interfere with the proper observance of any ordinance passed by any city or village council regulating the management of railroad locomotives and steam whistles thereon, within the limits of such city or village. Signals at railroad crossings.

SECTION 2. Section 3336 of the Revised Statutes is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 13, 1886.

[House Bill No. 482.]

AN ACT

To authorize the issue of bonds to meet deficiencies in the general revenue fund.

Issue of State bonds to meet deficiencies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of the sinking fund are hereby authorized and empowered to borrow from time to time such sum or sums of money as may be necessary to supply casual deficits in the general revenue fund, not exceeding, however, in the aggregate the sum of five hundred thousand dollars ($500,000); provided however, said sum shall not be borrowed for a longer period than until July 1, 1887, and at a rate of interest not exceeding five per cent. per annum.

SECTION 2. The interest and the amount so borrowed shall be paid when due out of the sinking fund.

SECTION 3. The money so borrowed shall immediately be placed to the credit of the general revenue fund.

SECTION 4. Said commission shall on behalf of the State issue for the money so borrowed, certificates of indebtedness, which shall be signed by the said sinking fund commission and attested by the governor.

SECTION 5. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 13, 1886.

[Senate Bill No. 164.]

AN ACT

To amend section 2120 of the Revised Statutes of Ohio.

Health provisions: penalty for non-compliance.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2120 of the Revised Statutes of Ohio be amended so to read as follows:

SEC. 2120. Any person other than an officer, who fails to faithfully comply with any of the provisions of the four preceding sections, shall pay a fine not exceeding fifty dollars.

SECTION 2. That said section 2120 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[Senate Bill No. 174.]

AN ACT

To authorize any city of the second grade of the first class to issue bonds for a loan to pay cost and damages arising from the re-grading and filling of a street.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the common council of any city of the second grade of the first class is hereby authorized to issue bonds, not exceeding $25,000 in amount, for a loan to pay the cost and damages arising from the re-grading and filling of any street over the valley of any brook or water-course, said bonds to run such length of time not exceeding fifteen years, and to bear such rate of interest not exceeding five per cent. per annum, as said council may determine. Cleveland authorized to issue bonds to pay damages.

SECTION 2. That said bonds shall be executed and sold according to law, and the proceeds shall be applied exclusively to the above purpose.

SECTION 3. That this act shall be in force from its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[Senate Bill No. 176.]

AN ACT

To amend section 2489 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2489 of the Revised Statutes be so amended as to read as follows:

SEC. 2489. The board may construct gas works, extend gas-pipes, manufacture and sell gas and coke, collect gas bills and other moneys due for gas, coke or other material sold by it, manage, conduct and control the gas-works, prescribe by by-laws the price of gas and coke, under such rules and regulations as, by ordinance, the council may prescribe, and the manner of using gas; and to carry into effect the provisions of this section may also purchase material, employ laborers, appoint officers, purchase or lease the necessary real estate, and erect buildings thereon; and said board shall make monthly reports to the council of the receipts and disbursements of money belonging to the gas-works, and an annual report of the condition of the same; and all money collected for gas-works purposes shall be deposited weekly, by the collectors thereof, with the treasurer of the corporation, and one of the receipts therefor shall be deposited with the clerk of such board, and all money so deposited shall be kept as a separate and distinct fund subject to the order of the board, and all orders drawn by the trustees or board, on the treasurer of the corpora- Powers and duties of trustees of municipal gas-works.

tion, shall be paid out of such fund and shall be signed by the president of said board, and countersigned by the clerk thereof.

SECTION 2. That said original section number 2489 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representative.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[Senate Bill No. 215.]

AN ACT

To amend section 1104 of the Revised Statutes of Ohio, as amended February 26, 1880, (77 v. 13.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1104 of the Revised Statutes of Ohio, as amended February 26, 1880, be so amended as to read as follows:

Action by treasurer for unpaid taxes.

SEC. 1104. When any taxes or assessments stand charged against any land or lots, or parcel thereof, upon the general or any special duplicate, (or any special duplicate of delinquent or forfeited taxes or assessments), for any purpose authorized by law, and the same, or any part thereof, are not paid within the time prescribed by law for the payment thereof, the county treasurer, in addition to all other remedies provided by law, may enforce the lien for such taxes and assessments, or either, and any penalty due thereon, by civil action in his own name as treasurer for the sale of said premises in the court of common pleas of the county, without regard to the amount claimed, in the same way mortgage liens are enforced; and the said court shall,

Petition.

upon the application of the plaintiff, advance said cases on the docket so that the same may be first heard; and it is sufficient, having made the proper parties, for the treasurer to allege in his petition that the taxes and assessments, or either, stand charged on the duplicate or duplicates against said premises, the amount thereof, and that the same are unpaid; and he shall not be required in the petition to set forth any other or further special

Evidence.

matter relating thereto; and said duplicate or duplicates shall be received as prima facie evidence on the trial of the amounts and validity of such taxes and assessments, and of the non-payment thereof; and if it is found that such taxes and assessments, or any

Judgment and decree.

part thereof, are due and unpaid, judgment shall be rendered for the same, penalty and costs, and said premises, or so much thereof as may be necessary to pay the same, shall be by the order of the court sold to pay the same; and out of the proceeds of the sale shall first be paid the said judgment, the balance being distributed as may be just; and the owner or owners of such property shall not be entitled to any exemption as against such judgment; and if the lands or lots have been forfeited to the State, it shall not be necessary to make the State a party, but it shall be deemed a party through and represented by the treasurer; but

the owner or owners of such property have the right to redeem the same within two years from the date of sale, by paying to the holder thereof the amount he paid therefor, and for the deed, together with six per cent. interest thereon, and twenty-five per cent. on the amount of said judgment; and in such proceedings the treasurer may join in one action all the lots or lands, or any number of them embraced in any one assessment, but the decree shall be rendered severally or separately for the taxes and assessments found due; and any proceeding may be severed in the discretion of the court, for the purpose of trial, revision or appeal where an appeal is allowed; and the court shall make such order for the payment of costs as shall be deemed equitable and proper; the auditor may place upon a separate duplicate the forfeited and delinquent taxes and assessments for the years prior to 1879, upon the request of the treasurer, and the validity and priority of lien of such taxes and assessments shall not be affected thereby; and in any county of the State not having a county solicitor and containing a city of the first class, the prosecuting attorney of such county shall, in the name of the treasurer of such county, enforce by such civil action the said lien for such taxes, assessments and penalties, and act as attorney and counsellor for the treasurer of such counties in the collection of such taxes, assessments and penalties, and in said civil action, not now pending in the courts of this State, and such prosecuting attorney shall receive therefor such compensation as may be deemed just and proper, to be determined by the board of county commissioners of such county.

Redemption

Costs.

Lucas county prosecuting attorney.

SECTION 2. Said original section 1104, as amended February 26, 1880, (77 v. 13), is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[Senate Bill No. 248.]

AN ACT

Providing against the evils resulting from the traffic in intoxicating liquors.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That upon the business of trafficking in spirituous, vinous, malt, or any intoxicating liquors, there shall be assessed, yearly, and shall be paid into the county treasury, as hereinafter provided, by every person, corporation or co-partnership engaged therein, and for each place where such business is carried on by or for such person, corporation or co-partnership, the sum of two hundred dollars; provided, if such business continues through the year, to-wit: From the fourth Monday of May, exclusively, in the trafficking in malt or vinous liquors, or both, such assessment shall be but one hundred dollars.

Tax on liquor business.

Tax a lien, when; time of payment.

SECTION 2. That said assessment, together with any increase thereof, as penalty thereon, shall attach and operate as a lien upon the real property on and in which such business is conducted, as of the fourth Monday of May each year, and shall be paid at the times provided for by law for the payment of taxes on real or personal property within this State, to-wit: one-half on or before the twentieth day of June, and one half on or before the twentieth day of December, of each year.

Tax for part of a year; refunding orders.

SECTION 3. That when any such business shall be commenced in any year after the fourth Monday of May, said assessment shall be proportionate in amount to the remainder of the assessment year, except that it shall be in no case less than twenty-five dollars, and the same shall attach and operate as a lien, as aforesaid, at the date of, and be paid within ten days after such commencement; and whenever any person, corporation or co-partnership, engaged in such business, who has been assessed as aforesaid, and who has paid or is charged upon the tax duplicate with the full amount of said assessment, discontinues such business, the county auditor, upon being satisfied of that fact, shall issue to such person, corporation or co-partnership a refunding order for a proportionate amount of said assessment.

Collection of tax in case of non-payment.

SECTION 4. That if any person, corporation or co-partnership shall refuse or neglect to pay the amount due from them under the provisions of this act within the time therein specified, the county treasurer shall thereupon forthwith make said amount due with all penalties thereon, and four per cent. collection fees and costs, by distress and sale, as on execution, of any goods and chattels of such person, corporation or co-partnership; he shall call at once at the place of business of each person, corporation or co-partnership; and in case of the refusal to pay the amount due, he shall levy on the goods and chattels of such person, corporation or co-partnership, wherever found in said county, or on the bar, fixtures or furniture, liquors, leasehold and other goods and chattels used in carrying on such business, which levy shall take precedence of any and all liens, mortgages, conveyances or incumbrances hereafter taken or had on such goods and chattels, so used in carrying on such business; nor shall any claim of property by any third person to such goods and chattels, so used in carrying on such business, avail against such levy so made by the treasurer, and no property, of any kind, of any person, corporation or co-partnership liable to pay the amount, penalty, interest and costs due under the provisions of this act, shall be exempt from said levy. The treasurer shall give notice of the time and sale of the personal property to be sold under this act, the same as in cases of the sale of personal property on execution; and all provisions of law applicable to sales of personal estate on execution shall be applicable to sales under this act, except as herein otherwise provided; and all moneys collected by him under this act shall be paid, after deducting his fees and costs, into the county treasury. In the event of the treasurer, under the levy provided for under this act, being unable to make the amount due thereunder, or any part thereof, the county auditor shall place the amount due and unpaid on the tax duplicate against the

real estate in which said traffic is carried on, and the same shall be collected as other taxes and assessments on said premises.

Assessors' returns.

SECTION 5. That every assessor shall return to the county auditor, with his other returns, a statement upon a blank to be furnished by such auditor for that purpose, as to every place within his jurisdiction where such business is conducted, showing the name of the person, corporation or co-partnership engaged therein, a brief and accurate description of the premises where the same is conducted, and by whom owned, and whether such business is confined exclusively to traffic in malt or vinous liquors, or both; said statement shall be signed and verified before such assessor by such person, corporation or co-partnership. And if such person, corporation or co-partnership shall, on demand, refuse or fail to furnish the requisite information for such statement, or to sign or verify the same, such fact shall be returned by the assessor, and thereupon such assessment on said business shall be four hundred dollars. And if any person having made return that his business is confined exclusively to malt or vinous liquors, or both, shall thereafter, during the assessment year, sell any other intoxicating liquors, the assessment upon his business shall thereby be increased by the sum of two hundred and fifty dollars. And if any assessment aforesaid shall not be paid when due, there shall be added a penalty thereto of twenty per centum, which shall be collected therewith.

Penalties.

Auditors' duplicates.

SECTION 6. The county auditor shall make and preserve duplicates of such assessments, alphabetically arranged, showing the amount and date of each assessment, by whom to be paid, and the premises whereon the same is a lien. And upon receiving satisfactory information of any such business liable to assessment or increased assessment, as aforesaid, not returned by the assessor, he shall forthwith enter the same upon such duplicate and upon the county treasurer's copy thereof. By the first Monday of June of each year, he shall make out and deliver to the county treasurer a copy of such duplicate, charging him with the full amount of such assessment to be collected and also with any additional assessments or increased assessments and penalties thereon.

Collection by treasurer.

SECTION 7. The county treasurer shall collect and receipt for all assessments so returned to him, and if any assessment shall not be paid when due, he shall forthwith proceed as provided in section four of this act to collect the same, and in case he shall fail to make such assessment from the goods and chattels therein described, then said treasurer shall immediately proceed as provided in section 1104 of the Revised Statutes to enforce the lien for the same with the penalty thereon. And the provisions of said section 1104, and all other provisions of the law of this State relating to the assessment and collection of taxes, are hereby made applicable to the enforcement of liens and the collection of such assessments and penalties. The treasurer shall charge himself with all such assessments placed in his hands for collection, and shall account to the auditor for the same, together with all penalties collected thereunder.

Definition of phrase.

SECTION 8. The phrase, "trafficking in intoxicating liquors," as used in this act, means the buying or procuring and selling of intoxicating liquors otherwise than upon prescriptions issued

in good faith by reputable physicians in active practice, or for exclusively known mechanical, pharmaceutical or sacramental purposes, but such phrase does not include the manufacturing of intoxicating liquors from the raw material, and the sale thereof by the manufacturer of the same in quantities of one gallon or more at any one time.

Distribution of tax.

SECTION 9. That the revenues and fines resulting under the provisions of this act shall be distributed as follows, to wit: In every county, three-fourths of the money paid as herein provided into the county treasury on account of any business aforesaid carried on in any city or village therein, shall, upon the warrant of the county auditor, be paid into the treasury of such corporation, one-half to the credit of the police fund and one-half to the credit of the general revenue fund thereof; provided, in corporations having no police fund, the entire three-fourths shall be passed to the credit of the general revenue fund thereof. The remaining one-fourth part thereof, together with all other revenues resulting hereunder in said county, shall be passed to the credit of the poor fund of such county; provided, that in all counties in which there is no county infirmary, said remaining one-fourth part thereof shall be passed to the credit of the infirmary fund or the poor fund of the township, village or city in which the same shall have been collected; and, provided, that in counties having a city of the first grade of the first class with a city infirmary, the above one-fourth part shall be divided between the city and county infirmary funds, in the proportion of the revenue received from the city to the revenue from the county outside of said city.

Notice of assessment; duty of certain officers.

SECTION 10. That within ten days after the passage of this act, each county auditor in the State is hereby directed to publish, by one insertion in some newspaper of general circulation in his county, a notice informing all persons engaged in the traffic in intoxicating liquors that the first assessment imposed by this act will be due and payable on or before the twentieth day of June, A.D. 1886. The attorney-general and the prosecuting attorneys of the several counties are charged with the duty of seeing that the requirements of this section are observed, and may enforce the same, if necessary, by proceedings in mandamus. The county commissioners of the respective counties may allow their county auditor a reasonable compensation for the discharge of the duties imposed upon him by this act.

Closing on Sunday.

SECTION 11. That the sale of intoxicating liquors, whether distilled, malt or vinous, on the first day of the week, commonly called Sunday, except by a regular druggist on the written prescription of a regular practicing physician for medical purposes only, is hereby declared to be unlawful, and all places where such intoxicating liquors are on other days sold or exposed for sale, except regular drug stores, shall on that day be closed, and whoever makes any such sale, or allows any such place to be open or remain open on that day, shall be fined in any sum not exceeding one hundred dollars and be imprisoned in the county jail or city prison not exceeding thirty days. In regular hotels and eating houses, the word "place" herein used shall be held to mean the room or part of room where such liquors are usually

sold or exposed for sale, and the keeping of such room or part of room securely closed shall be held, as to such hotels and eating-houses, as a closing of the place within the meaning of this act; provided, that nothing in this section shall prevent the council of any municipal corporation in the State from regulating and controlling, on such first day of the week; the sale of beer and native wine in such manner as may by ordinance be provided. And any municipal corporation shall have full power to regulate, restrain and prohibit ale, beer and porter houses, and other places where intoxicating liquors are sold at retail for any purpose or in any quantity other than as provided for in section eight of this act. But if any municipal corporation shall prohibit ale, beer and porter houses, or other places where intoxicating liquors are sold within the limits of such corporation, a ratable proportion of the tax paid by the proprietors thereof for the unexpired portion of the year shall be returned to such proprietors.

Municipal regulation.

SECTION 12. Whoever sells intoxicating liquors to a minor except on the written order of his parent, guardian or family physician, or to a person intoxicated or in the habit of getting intoxicated, shall be fined not more than one hundred nor less than twenty-five dollars, and imprisoned not more than thirty nor less than five days.

Minors and habitual drunkards.

SECTION 13. The abrogation or repeal of any section or clause of this act shall not be held to abrogate or repeal any other section or clause thereof.

Non-interdependence of sections.

SECTION 14. Section 6941 of the Revised Statutes is hereby repealed.

SECTION 15. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[House Bill No. 490.]

AN ACT

To amend section 3630 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3630 of the Revised Statutes of the State of Ohio be so amended as to read as follows:

SEC. 3630. A company or association may be organized to transact the business of life or accident insurance on the assessment plan, for the purpose of mutual protection and relief of its members, and for the payment of stipulated sums of money to the families or heirs of the deceased members of such company or association, and may receive money either by voluntary donation or contribution, or collect the same by assessment on its

Mutual protection associations.

Powers.

members, and may accumulate, invest, distribute and appropriate the same in such manner as it may deem proper; that all accumulations and accretions thereon shall be held and used as the property of the members and in the interest of the members, and shall not be loaned to, used, appropriated, or invested for the benefit of any officer or manager of such company or association; and provided, that no company or association shall issue a certificate for a greater amount than such company or association shall be able to pay from the proceeds of one assessment; and such company or association shall not be subject to the preceding sections of this chapter.

Accumulations.

Certificates.

SECTION 2. That said original section 3630 of the Revised Statutes is hereby repealed; this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[House Bill No. 120.]

AN ACT

To punish and prevent fraud in the sale of grain, seed and other cereals.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whoever, either for his own benefit or as the agent of any corporation, company, association or person, obtains from any other person anything of value, or procures the signature of any such person, as maker, indorser, guarantor or surety thereon, to any bond, bill, receipt, promissory note, draft, check, or any other evidence of indebtedness, as the whole or part consideration of the sale or transfer to such other person of any grain, seed or other cereals, which sale or transfer is at a fictitious price or at a price equal to or more than twice the market price of such grain, seed or cereals, or as the whole or part consideration for any bond, contract or promise given the vendee of any grain, seed or cereals binding the vendor or any other person, corporation, company, association, or the agent thereof, to sell for such vendee any grain, seed or cereals at a fictitious price, or at a price equal to or more than twice the market price of such grain, seed or cereals; and whoever sells, barters or disposes of, or offers to sell, barter or dispose of, either for his own benefit or as the agent of any corporation, company, association or person, any bond, bill, receipt, promissory note, draft, check, or other evidence of indebtedness, knowing the same to have been obtained as the whole or part consideration of the sale or transfer to the maker, indorser, guarantor or surety on any such bond, bill, receipt, promissory note, draft, check, or other evidence of indebtedness, of any grain, seed or cereals which have been sold or transferred to such maker, indorser, guarantor or surety at a fictitious price or at a

Fraud in sale of grain, seed, etc.

Negotiation of notes obtained by such fraud.

price equal to or more than double the market price of such grain, seed or cereals, or as the whole or part consideration for any bond, contract or promise given the vendee of any grain, seed or cereals binding the vendor or any other person, corporation, company, association, or the agent thereof, to sell for such vendee any grain, seed or cereals at a fictitious price, or at a price equal to or more than twice the market price of such grain, seed or cereals, shall be imprisoned in the penitentiary not more than three years nor less than one year, or be fined in the sum of not more than five hundred dollars nor less than one hundred dollars, or both, at the discretion of the court. Penalty.

SECTION 2. This act shall take effect from and on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[Senate Bill No. 194.]

AN ACT

To amend section 3267 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3267 be so amended as to read as follows: Corporations.

SEC. 3267. A company may, by a vote of a majority of its stock, at any regular meeting of the company, increase the number of directors to any number not greater than fifteen, or decrease the number before or after such increase to any number not below five; provided, that at any stockholders' meeting, called in the manner and as provided in section three thousand two hundred and forty-six, and notice of which has been given in accordance with the provisions thereof, any corporation, incorporated for manufacturing purposes, may, by a vote of a majority of its stock, increase the number of its directors as hereinbefore provided, who shall hold their offices respectively until the next annual election for directors, and until their successors are elected and qualified. Change in number of directors.

SECTION 2. That said original section 3267 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[Senate Bill No. 234.]

AN ACT

To amend section 2666 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2666 of the Revised Statutes of Ohio be and the same is hereby amended so as to read as follows:

Grade of wharves.

SEC. 2666. All wharves or landing places hereafter constructed shall conform to a uniform grade to be established by the council; and it shall be unlawful for the owner or lessee or occupant of such property to construct any wharf or landing place, or to keep and maintain any private wharf boat or any private landing place within the corporate limits of any city or village without first obtaining the consent and permission of the council and conforming with the established grade, and for each violation of the foregoing provisions the offender shall forfeit and pay any

Penalty.

sum not exceeding twenty-five dollars nor less than five dollars, to be recovered in a civil action by the city or village before any justice of the peace in the township where the offense may be committed, and the same, when collected, shall be paid into the treasury of the city or village where the offense may be committed, to be expended on the streets thereof.

SECTION 2. Said original section 2666 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[Senate Bill No. 244.]

AN ACT

To authorize the common council of cities of the second grade of the first class to issue bonds for street and viaduct purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the common council of any city of the second grade of the first class, for the purpose of building or constructing a

Cleveland: issue of viaduct bonds authorized.

street and viaduct, or bridge, over any valley, river or water course within the limits of the corporation, are hereby authorized to issue, from time to time, the bonds of the city for any sum not to exceed twenty thousand dollars ($20,000) in the aggregate, running such length of time, not exceeding twenty-five years, as the council may determine, and bearing a rate of interest not exceeding six per cent. per annum.

SECTION 2. That said bonds shall be designated "Petrie bridge bonds," and shall be sold according to law, and the proceeds shall be applied exclusively to the above purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 401.]

AN ACT

To amend section 148*a*, supplementary to section 148 of the Revised Statutes of Ohio, passed March 18, 1884, (vol. 81, p. 52).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 148*a*, supplementary to section 148 of the Revised Statutes of Ohio, as enacted March 18, 1884, be so amended as to read as follows:

Fees for filing articles of incorporation.

SEC. 148*a*. Upon the filing of articles of incorporation by any person desiring to become incorporated under the laws of this State, there shall be paid to the secretary of state, the following fees: For a company whose capital stock is five thousand dollars or under, five dollars; for a company whose capital stock is over five thousand dollars and not to exceed ten thousand dollars, ten dollars; over ten thousand dollars and not to exceed twenty-five thousand dollars, fifteen dollars; over twenty-five thousand dollars and not to exceed fifty thousand dollars, twenty-five dollars; over fifty thousand dollars and not to exceed one hundred thousand dollars, forty dollars; over one hundred thousand dollars and not to exceed three hundred thousand dollars, sixty-five dollars; over three hundred thousand dollars and not to exceed five hundred thousand dollars, ninety dollars; over five hundred thousand dollars and not to exceed eight hundred thousand dollars, one hundred and fifteen dollars; over eight hundred thousand dollars and not to exceed one million dollars, one hundred and fifty dollars; over one million dollars, two hundred dollars; for an increase of capital stock, the same proportionate charge for such increase shall be made; mutual insurance companies and such other mutual companies not organized strictly for benevolent or charitable purposes, shall pay a fee of twenty-five dollars; provided, however, that building associations shall pay ten dollars for each certificate of incorporation filed, and five dollars for every increase of capital stock; provided, further, in case of companies formed for religious, benevolent or literary purposes, or such companies as are not organized for profit, and have no capital stock, and in case of religious or secret societies, or societies or associations composed exclusively of any class of mechanics, express, telegraph, railroad or other employes, formed for the mutual protection and relief of the members thereof and their families ex-

Increase of capital.

Mutual companies.

Building associations.

Benevolent societies, etc.

Copies.

clusively, these fees shall not apply, but a fee of two dollars shall in such cases be charged. For making additional copies of articles of incorporation and for making copies in all other cases for such companies, the fees provided for in original section one hundred and forty-eight shall be charged, and all fees herein established shall be paid into the State treasury as provided in said original section.

SECTION 2. That said section 148*a*, as enacted March 18, 1884, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 423.]

AN ACT

To amend section 4509 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4509 of the Revised Statutes of Ohio be amended so as to read as follows:

Penalties for obstructing ditches.

SEC. 4509. Whoever obstructs any ditch, or refuses or neglects to remove any obstruction heretofore by such person or persons placed in any ditch, or being the owner of any land through which any ditch passes, obstructs or permits such ditch to become obstructed, or diverts the water from its proper channel, shall forfeit and pay to the county in which such ditch is situated, the sum of twenty-five dollars, to be recovered before any justice of the peace or other court having jurisdiction of the matter, in the name of the State of Ohio for the use of said county, which action may be instituted and prosecuted by the commissioners of such county, or any citizen thereof, or by any person whose lands shall [have] been assessed for the construction of such ditch, and shall also be liable for all damages that may accrue to any person, persons or corporation by reason of such obstruction, and each day that such obstruction shall be permitted to remain in such ditch after the person or persons who placed the same therein shall have had ten days' notice to remove the same, either by the county commissioners of said county, the engineer in charge of said ditch, or by any person whose lands have been assessed for the construction or improvement of such ditch, shall constitute a separate offense under this section, and subject such offender to a penalty of twenty-five dollars for each such offense, to be recovered in the manner hereinabove provided.

Duty of county commissioners.

And on failure of such person or persons to remove such obstructions forthwith upon being notified as aforesaid, it shall be the duty of the board of county commissioners of such county forthwith to cause such obstructions to be removed, and charge the expense thereof to such person or per-

sons, and collect the same from such person or persons by action in the name of said board of county commissioners.

SECTION 2. That said original section 4509 be and the same is hereby repealed; provided, that no cause of action which shall have accrued under said original section, shall abate by reason of such repeal. Causes of action not to abate.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 427.]

AN ACT

To amend section 4800 of the Revised Statutes of Ohio, as amended April 19, 1881, as amended April 8, 1885, (O. L., vol. 82, p. 115.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4800 of the Revised Statutes of Ohio, as amended April 19, 1881, as amended April 8, 1885, be so amended as to read as follows:

SEC. 4800. The county commissioners shall build any or all of the bridges and culverts upon the roads provided for in this chapter, contract and pay for all material used in the construction or repair of such roads, and in case the county commissioners and any owner of any material cannot agree upon the amount to be paid therefor, then the county commissioners shall have all the rights and powers of applying to the probate court of the county to appoint appraisers to assess the value of such material and the damage accruing to lands by reason of the removal thereof, as are conferred on road commissioners by sections 4782 and 4783. One mile assessment pike: bridges; material for repairs.

SECTION 2. That section 4800, as amended April 19, 1881, as amended April 8, 1885, be and the same is hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 475.]

AN ACT

Supplementary to section 621 of the Revised Statutes of Ohio.

Cleveland:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted supplementary to section 621 of the Revised Statutes of Ohio, with sectional numbering as herein provided:

Salaries of justices of the peace.

SEC. 621*a*. In all cities in this State of the second grade of the first class, each justice of the peace, for services rendered, shall receive in lieu of all fees, a salary of eighteen hundred dollars and six hundred dollars for clerk hire, and not exceeding three hundred dollars for office rent, per annum, payable out of the city treasury, in quarterly payments on the first Saturday in January, April, July and October in each year.

Duty as to fees.

SEC. 621*b*. It shall be the duty of each justice of the peace in all cities of the second grade of the first class, to collect the fees as provided in sections 615 and 621 of the Revised Statutes of Ohio, and make return under oath to the city treasurer on the first Saturday of January, April, July and October of each year, of all fees collected by him, and pay the same into the city treasury; he shall also make a return to the city treasurer at the same time of all fees due and uncollected; he shall within five days after the expiration of his term of office, make an itemized statement under oath to the city treasurer of all fees uncollected by him, and it is hereby made the duty of said city treasurer to collect said unpaid fees, out of which he is authorized to retain ten per centum of the amount collected for his services, and account for the balance as other funds of such city coming into his hands as treasurer.

SECTION 2. This act to take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 485.]

AN ACT

To amend section 3241 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3241 of the Revised Statutes of Ohio be amended to read as follows:

How person may become member of corporation not for profit.

SEC. 3241. The subscribers of such articles of incorporation shall cause the same to be copied into a book, which they shall provide, and which shall be the property of the corporation; and a person having the qualifications prescribed by the corporation, may become a member by subscribing his name to such copy; provided, that when the incorporators of a corporation, now or here-

after formed, are, or shall be members of a church or religious society, and have signed or shall sign articles for the purpose of enabling such church or religious society to become incorporated, any person who is or shall become a member of such church or religious society, in good standing, shall by virtue of such membership be a member of such corporation and entitled to vote at all meetings of such corporation, for the election of officers or other purpose, anything in the preceding section to the contrary notwithstanding. Religious societies.

SECTION 2. That said section 3241 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 496.]

AN ACT

To amend and supplement section 1720 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1720 of the Revised Statutes be amended and supplemented with sectional numbering so as to read as follows:

SEC. 1720. The mayor, the president of the board of councilmen and the solicitor of the corporation, shall constitute a board of revision, which shall meet as often as once in every month to review and investigate the proceedings of the council, and of all the other departments of the corporation government, and report to council any and all irregularities which may be discovered in any of the departments, or in the acts of any of the officers or employes of any of the departments, or shall take any other action in regard thereto which they shall deem proper to protect the interests of the corporation, and they shall report whether [any] and what retrenchment in the expenses of the corporation, and what improvement in any department of the corporation government can be made. And in making any investigation provided for herein they shall have power to send for persons and papers, issue subpœnas, and enforce the attendance of witnesses, and examine them under oath; and if, in the course of such investigation, the testimony of any witness whose personal attendance cannot be procured be desired, his deposition may be taken, and used in the investigation. They may employ, at a fair compensation, competent accountants to examine any books, papers, contracts or other writings connected with any investigation, and it shall be the duty of all constables, police court officers, and other persons thereto duly deputized, to serve subpœnas, and other process of said board. Witnesses, constables and other officers in attendance at the in- Board of revision; its powers and duties.

vestigations conducted under the provisions of this section, shall be entitled to the fees and mileage prescribed by law for similar services.

Power to prescribe system of accounting.

SEC. 1720*a*. The board of revision shall have full power and authority to prescribe from time to time, such forms of books, accounts, reports, and other methods of accountability for the different departments of the corporation government, and shall formulate and enforce such a general and uniform system of accounting as will secure the most rigid accountability for the funds and property of the corporation.

Effect of prescribing system; penalty for refusal to adopt.

SEC. 1720*b*. When the board has provided a system of accounting for any officer or department as herein provided, such a system shall take the place of and be substituted for any manner of accounting for such department or officer now provided by law. And any officer of the corporation who refuses to accept and adopt a system of accounting provided by the board in accordance with the provisions hereof, shall be subject to removal therefor upon complaint filed with the probate judge of the county as provided in section 1732 of the Revised Statutes.

SECTION 2. That said original section 1720 be and it is hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 550.]

AN ACT

Making an appropriation to pay the expenses of the defense of certain actions.

Appropriation to pay expense of defending certain actions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of paying the fees and expenses of counsel employed on the part of the State in the defense of certain actions pending in the circuit court of the United States for the northern district of Ohio, wherein sundry national banks seek to enjoin the collection of taxes, there is hereby appropriated, from any money in the State treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of fifteen hundred dollars ($1,500), to be paid out on the warrant of the auditor of state upon vouchers approved by the governor and attorney-general.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 564.]

AN ACT

To amend sections 2264 and 2284 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2264, as amended April 20, 1881, and 2284 of the Revised Statutes of Ohio be amended so as to read as follows:

Assessments which may be made special.

SEC. 2264. In the cases provided for in the last section, and in all cases where an improvement of any kind is made of an existing street, alley or other public highway, the council may decline to assess the costs and expenses in the last section mentioned or any part thereof, or the costs and expenses or any part thereof of such improvement, except as hereinafter mentioned, on the general tax-list, in which event such costs and expenses, or any part thereof which may not be so assessed on the general tax-list, shall be assessed by the council on the abutting and such adjacent and contiguous or other benefited lots and lands in the corporation, either in proportion to the benefits which may result from the improvement, or according to the value of the property assessed, or by the foot front of the property bounding and abutting upon the improvement, as the council, by ordinance setting forth specifically the lots and lands to be assessed, may determine before the improvement is made, and in the manner and subject to the restrictions herein contained; and the assessments shall be payable in one or more installments, and at such times as the council may prescribe; but this section shall be subject to the provisions of chapter two of this division, and in cities of the first and third grades of the first class, at the time when the council determines that the cost of such improvement is to be assessed as above provided, it shall also determine in how many installments said assessments shall be payable; at what intervals, if payable in more than one installment; also whether or not bonds shall be issued in anticipation of such assessment; and when bonds are issued in anticipation of the collection of such assessment, the interest accrued and to accrue on said bonds shall be considered and treated as part of the costs and expenses of such improvement for which assessments may be made. In cities of the third grade of the first class, such assessments, when made, shall become due and payable at the time and in the manner provided by the council, and if said assessment or any installment thereof shall not be paid at the time the same becomes due, a penalty of fifteen (15) per centum shall thereupon attach to such unpaid assessment or installment, and thereafter such unpaid assessment or installment shall bear interest until the payment thereof at the same rate as the bonds issued in anticipation of the collection of such assessment; and the county auditor shall annually place upon the tax duplicate the penalty and interest herein provided for. When the council of said cities of the third grade of the first class shall determine to issue bonds in anticipation of the collection of assessments provided for in this section, the provisions of section two thousand seven hundred and two (2702) shall not apply.

Installments.

Cincinnati and Toledo.

Cost of any improvement shall include what.

SEC. 2284. The cost of any improvement contemplated in this chapter shall include the purchase money of real estate, or any interest therein, when the same has been acquired by purchase, or the value thereof as found by the jury, where the same has been appropriated, the costs and expenses of the proceeding, the damages assessed in favor of any owner of adjoining lands and interest thereon, the costs and expenses of the assessment, the expense of the preliminary and other surveys, and of printing, publishing the notices and ordinances required, including notice of assessment, and serving notices on property owners, the cost of construction, interest on bonds, where bonds have been issued in anticipation of the collection of assessments, and any other necessary expenditure.

SECTION 2. That said original sections 2264, as amended April 20, 1881, and 2284 be and they hereby are repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 581.]

AN ACT

Making appropriations to meet deficiencies and pay liabilities.

Deficiency appropriation.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the following sums of money for the purposes herein named, to wit:

Inspector of Mines:

Bill for legal services rendered, seventy-nine dollars and sixty cents ($79.60).

Ice bill, twelve dollars ($12.00).

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 681.]

AN ACT

To provide for the support of children of indigent soldiers outside of the soldiers' and sailors' orphans' home at Xenia.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the general revenue fund, not otherwise appropriated, the sum of fifteen thousand dollars to be expended by the board of trustees of the soldiers' and sailors' orphans' home for the maintenance and support, either in the Xenia home or such county childrens' homes as the board may select, such children of soldiers as are now inmates or that hereafter may become inmates of county infirmaries, and by existing law are entitled to admission to the said Xenia home. Provided, however, that said trustees shall not contract for the support of said children outside of the said Xenia home at a per capita cost greater than the current expense cost of supporting the children at the Xenia home; and, provided, further, that all expenses of transportation of said children from the infirmaries to the home to which they may be assigned, shall be paid by the counties to which such children belong.

Appropriation for support of children of indigent soldiers

SECTION 2. This act shall take effect on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 618.]

AN ACT

To establish an efficient board of public affairs in cities of the first grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2205, 2206, 2207, 2228 and 2231 of the Revised Statutes of Ohio, as amended by the act of March 3d, 1880, (O. L., vol. 77, page 35), and section 2113 of the Revised Statutes, be so amended as to read as follows:

Cincinnati Board of Public Affairs.

SEC. 2205. In cities of the first grade of the first class, there shall be a board of public affairs, composed of five members, electors of such city, to be appointed by the governor, one for one year, one for two years, one for three years, one for four years, and one for five years. And thereafter at the expiration of each term, one member shall be appointed to serve for five years; and all vacancies from whatever cause shall be filled by the governor for the unexpired term. The members of said board, before entering upon their duties, shall take and subscribe

Constitution of; appointments; terms.

Vacancies.

Oath.

an oath, which shall be filed and kept in the office of the city clerk, to support the constitution of the United States and of the State of Ohio, to obey the laws, and in all their official actions and judgments to aim only to secure and maintain an honest and efficient administration of public affairs; and the appointed members shall serve until their successors are appointed and qualified.

Bond.

SEC. 2206. Each member shall give bond with at least three sureties, in the sum of fifty thousand dollars, conditioned for the faithful performance of his duties, which sureties shall each be required to take an oath that he is worth the amount of the bond above all liabilities, and such bond shall be approved by the mayor and city solicitor.

Duties of members; salary.

SEC. 2207. The members of the board shall devote their entire time and attention to the duties of the office, and shall each receive as compensation a salary of four thousand dollars per annum; and each member of such board shall personally supervise the cleaning, repairing and improvements of the streets, alleys, avenues, lanes, public wharves and landings, market-houses and spaces, bridges, sewers, drains, ditches and culverts in one of the districts into which such city may have been or may be divided.

Removals.

SEC. 2228. A member of the board may be removed from office for misfeasance, malfeasance or nonfeasance in office in the manner provided for the removal of certain officers in chapter three, of division four of title twelve of the Revised Statutes.

General powers and duties of board.

SEC. 2231. The board of public affairs herein provided for, shall have all the powers and perform all the duties heretofore conferred upon or required of the board of city commissioners and board of public works, and the board of health, or either of said boards, by any law now in force; and such board of public affairs shall be considered in all respects the successor of said board of public works and board of health, which are hereby abolished; and no resolution or ordinance recommended to and amended in council, shall take effect until approved by said board of public affairs; and no resolution or order in which the expenditure of money is involved, or ordinance, resolution or order for the expenditure of money, no contract for the payment of money, or for granting any franchise, or creating any right, or for the purchase, lease, sale, or the transfer of property which shall have passed the common council, except such as levying special taxes for the improvement of streets, shall take effect until approved by at least four members of the board; and for such final approval, every such ordinance, resolution, order, or contract, shall be submitted to the board, after being approved by the mayor, or after being recommended and passed by the council, if disapproved by the mayor.

Municipal boards of health outside of Cincinnati.

SEC. 2113. When the council of a city or village, other than cities of the first grade of the first class, establishes a board of health, such board shall be composed of a mayor, who shall be president by virtue of his office, and six members to be appointed by the council, who shall serve without compensation, and a majority of whom shall constitute a quorum.

SECTION 2. The title of said chapter two, of division seven of title twelve, of the Revised Statutes is hereby amended to read, "board of public affairs." Amended title.

SECTION 3. That sections 2205, 2206, 2207, 2228 and 2231, as amended March 3, 1880, (O. L., vol. 77, page 35), and section 2113 of the Revised Statutes be and the same are hereby repealed.

SECTION 4. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[Senate Bill No. 198.]

AN ACT

To provide for a board of park commissioners for the city of Toledo, and defining its powers and duties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the third grade of the first class, there shall be a board of park commissioners, consisting of five members, one of whom shall be the mayor of the city, who shall, ex-officio, be a member of said board; and four members thereof shall be appointed by the governor; one member to serve for the term of one year, one for the term of two years, one for the term of three years, and one for the term of four years; and the successors of the four members thus appointed, to be appointed from year to year for the full term of four years, except that in case of vacancy arising from any cause before the expiration of the term of any appointed member, such vacancy shall be filled by appointment for the unexpired part of such term; provided, that the said board shall serve without compensation and that it shall not be the duty of the governor to make said appointments, nor shall the bonds provided for herein be issued until the question as to the issue of the bonds for park purposes shall have been first submitted to the voters of said city of Toledo at a general or special election, of which at least ten days' notice, published in the corporation paper, shall be given by proclamation of the mayor on request in writing, signed by not less than fifty resident tax payers. At said election, all voters desiring to vote in favor of issuing said bonds shall have written or printed on their ballots the words, "Issue of bonds for park purposes—Yes;" and all voters desiring to vote against said issuing of said bonds shall have written or printed on their ballots the words, "Issue of bonds for park purposes—No;" and no bonds shall be issued under this act unless the majority of the votes cast in favor and against such

Toledo board of park commissioners.

Popular vote on issue of park bonds.

issue, shall be in favor of such issue; in case such election shall result in favor of the issue of such bonds, the mayor of the city shall notify the governor, and thereupon the governor shall (within thirty days thereafter) proceed to appoint the members of said board as herein provided; the term of office of the members of such board of park commissioners as are appointed by the governor, shall commence on the first Monday of the month succeeding the date of such appointment; and the governor shall have power, at his discretion, to remove any appointed member of said board, and make a new appointment in his stead.

Oath and bond.

SECTION 2. Each member of such board shall, before entering upon the discharge of the duties of said office, take and subscribe an oath before some officer authorized by law to administer oaths, that he will honestly and faithfully discharge the duties of said office; and each member of said board appointed by the governor shall give a bond with at least two sureties, in the sum of twenty thousand dollars, to be approved by the city auditor and city solicitor of said city, conditioned for the faithful performance of his duties as a member of such board.

Conduct of business.

SECTION 3. Said board shall hold meetings as often as once a month, and adopt all necessary rules for the regulation of its business; it may elect a secretary or clerk, and make allowances for his compensation which shall not exceed five hundred ($500) dollars per annum; it shall keep a complete record of all its proceedings, which record, or a copy thereof duly certified by the secretary or clerk, shall be competent evidence of the transactions of said board in all the courts of this State; the ayes and nays shall be called upon the passage of every resolution or order, and entered upon the journals; three members of the board shall constitute a quorum for the transaction of all business, but no resolution or order shall be adopted unless three members shall vote in its favor; and said board shall be governed by the provisions of section 2510 of the Revised Statutes of the State of Ohio.

Powers of board.

SECTION 4. Such board shall have control of all parks and public grounds belonging to such cities, or which may be acquired for such purpose, and of the improvement of the same; and of all moneys derived from levies made for park purposes, and all moneys from the general fund appropriated by the council for such purposes; and the proceeds of all bonds issued or sold for park purposes, which moneys shall be placed in a special fund, called the "park fund," and shall be disbursed by the treasurer of such city upon a warrant by the auditor, which shall be drawn in accordance with the order of the board.

Park fund.

System of public parks.

SECTION 5. The said board shall have power by resolution, to adopt a plan or system of public parks for such city, designating by accurate description, the lands necessary or required therefor, together with such public avenues, boulevards, driveways or highways connecting or leading to or from the same as a part of said plan or system, together with as accurate an estimate of the cost thereof, as may be, and the issue of bonds required to meet the same, the rate of interest and the time of payment. Said board shall make or cause to be made accurate plats showing said plan or system of parks, and keep the same on file at its office for public inspection, which said plan or system may, from time to time,

be changed or amended, as may be deemed necessary or advisable. Said board shall adopt rules for the care, protection and government of the said parks, grounds and premises under its charge, and such rules, when approved by the common council, shall have the same effect, and may be enforced by the same penalties as ordinances of the city. Rules.

SECTION 6. After such plan or system has been adopted as provided in the last section, the board shall proceed by purchase, whenever the same can be done on terms satisfactory to the board, to acquire the title to the lands aforesaid in the name of the city, and whenever the board cannot obtain the title to such lands by purchase as aforesaid, the said board shall report to the common council of said city, a description of the lands purchased by said board, if any, and also an accurate description of the land required or necessary to the plan or system aforesaid, which it has been unable to acquire by purchase, and the said council may, by resolution, declare that it is the intent and purpose of the city to appropriate the said lands for the purposes aforesaid, as provided in section 2235 of the Revised Statutes; whereupon, it shall be the duty of the city solicitor to institute proceedings in the name of the city to acquire the said land, which proceedings shall be conducted and governed by and in accordance with the provisions of Title 12, Div. 7, Chapter 3, of the Revised Statutes of the State of Ohio. Purchase of lands. Appropriation of land.

SECTION 7. For the purpose of providing means for paying for the lands aforesaid, and the improvement thereof in carrying out the plan or system aforesaid, the bonds of the city shall be issued, payable at such time as shall have been determined as hereinbefore provided, not exceeding fifty years, with interest not exceeding four per cent. per annum, payable semi-annually, which bonds shall be signed by the president of said board, the mayor and clerk of said city, and shall be sold at not less than par, in the manner provided by law, except that the said board in [the] purchase of the lands which may have been designated as aforesaid, may contract or pay for the same at the agreed price in so much of said bonds at par as equals the purchase price, or any part thereof, if the owners are willing to accept the same as such payment in whole or in part, for such lands; but the aggregate amount of bonds to be issued and indebtedness incurred under this act, and for the purpose of acquiring the property and making the improvements herein contemplated, shall not exceed the sum of five hundred thousand dollars, of which at least one hundred thousand shall be used for said improvements. Issue of park bonds.

SECTION 8. For the purpose of paying the interest and principal of the bonds aforesaid, the common council of said city shall levy annually upon all the taxable property, real and personal, in said city, a sum sufficient to pay the same in addition to all other taxes authorized by law. Tax.

SECTION 9. The board may appoint or employ such superintendents and such employes as it may deem necessary for the execution of its duties, and fix their salaries or compensation; and any of such persons may be removed by the board at any time. Superintendents, etc.

Existing board of park commissioners.

Statutory provisions.

SECTION 10. Upon the appointment and qualification of the board herein provided for, any board of park commissioners in existence in such city, shall turn over to the board appointed under the provisions of this act, all property and assets in their hands, and the provisions of sections 2511 and 2512 of the Revised Statutes, shall thereafter be inapplicable to cities of the third grade of the first class.

SECTION 11. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 186.]

AN ACT

To prevent adulteration of and deception in the sale of dairy products, and supplementary to Chapter 11, Title 1, Part 4, of the Revised Statutes.

Artificial dairy products.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That no person shall sell, exchange, expose or offer for sale or exchange, any substance purporting, appearing, or represented to be butter or cheese, or having the semblance of either butter or cheese, which substance is not made wholly from pure milk, or cream, salt and harmless coloring matter, unless it be done under its true name, and each vessel, package, roll or parcel of such substance has distinctly and durably painted, stamped, stenciled or marked thereon the true name of such substance in ordinary bold faced capital letters, not less than five line pica in size, and also the name of each article or ingredient used or entering into the composition of such substance, in ordinary bold faced letters, not less than pica in size, or sell or dispose of in any manner to another any such substance without delivering with each amount sold or disposed of, a label on which is plainly or legibly printed in ordinary bold faced capital letters not less than five line pica in size, the true name of such substance, and also the name of such articles used and entering into the composition of such substance in ordinary bold faced letters, not less than pica in size, if the same be not made wholly from pure milk, or cream, salt and harmless coloring matter.

Restrictions on sale, etc., of.

Restrictions on manufacture of.

SECTION 2. No person or persons shall manufacture out of any oleaginous substance or substances, or any compound of the same other than that produced from unadulterated milk or cream, salt and harmless coloring matter, any article designed to be sold as butter or cheese made from pure milk or cream, salt and harmless coloring matter. Nothing in this section shall prevent the use of pure skimmed milk in the manufacture of cheese.

SECTION 3. No person or persons shall manufacture, mix, compound with or add to natural or pure milk, cream, butter or cheese, any animal fats, animal, mineral or vegetable oils, nor shall any person or persons manufacture any oleaginous or other substance not produced from pure milk or cream, salt and harmless coloring matter, or have the same in his possession, or offer or expose the same for sale or exchange with intent to sell or in any manner dispose of the same as and for butter and cheese made from unadulterated milk or cream, salt and harmless coloring matter, nor shall any substance or compound so made be sold or disposed of to any one as and for butter or cheese made from pure milk or cream, salt and harmless coloring matter.

Further restrictions on manufacture.

Sale of, etc.

SECTION 4. No person or persons shall sell, exchange, expose or offer for sale or exchange, dispose of or have in his possession any substance or article made in imitation or resemblance of, or as a substitute for any dairy product which is falsely branded, stenciled, labeled or marked as to the place where made, the name or cream value thereof, its composition or ingredients, or in any other respect.

False brands and labels.

SECTION 5. No person or persons shall sell, exchange, expose or offer for sale or exchange, dispose of or have in his possession any dairy products which are falsely branded, stenciled, labeled or marked as to the place where made, date of manufacture, the name or cream value thereof, composition or ingredients, or in any other respect, and cheese wholly made from skimmed milk shall have branded upon the box or can "made from skimmed milk."

Brands, continued.

Skimmed milk cheese.

SECTION 6. Every person in this State who shall deal in, keep for sale, expose or offer for sale or exchange, any substance other than butter or cheese made wholly from pure milk or cream, salt and harmless coloring matter, which appears to be, resembles, or is made in imitation of, or as a substitute for butter or cheese, shall keep a card not less in size than eight by ten inches in a conspicuous and visible place, where the same may be easily seen and read in the store, room, stand, booth, wagon or place where such substance is, on which card shall be printed in bold black Roman letters, not less in size than eight line pica, the true name of such substance, with the words, imitation butter, or imitation cheese, sold here.

Card to be displayed by dealers.

SECTION 7. Every proprietor, keeper, or manager, or person in charge of any hotel, boarding house, restaurant, eating house, lunch counter, or lunch room who therein sells, uses, or disposes of any substance which appears to be, resembles, or is made in, or as an imitation of, or is made as a substitute for "butter or cheese," under whatsoever name, and which substance is not wholly made from pure milk or cream, salt and harmless coloring matter, shall display and keep a card in a conspicuous place, where the same may be easily seen and read in the dining, eating, restaurant and lunch room, and place where such substance is sold, used or disposed of, which card shall be in size not less than eight by ten inches, upon which shall be printed in plain, bold, black letters, not less in size than eight line pica, the true name of such substance, and also the words, imitation butter, or imitation cheese, sold and used here, and such proprietor, keeper, manager or person in charge shall not sell, furnish or dispose of

By hotel keepers, etc.

such substance as and for "butter or cheese" made from pure milk or cream, salt and harmless coloring matter, when butter or cheese is asked for.

Fraudulent shipments.

SECTION 8. No person or persons shall pack, box, inclose, ship or consign any substance, as butter or cheese made from pure milk or cream, salt and harmless coloring matter, in such a manner as to conceal an inferior article by placing a finer grade of butter or cheese upon the surface of the same.

Sale of diluted milk.

SECTION 9. No person or persons shall sell to any person, or deliver or carry or cause to be carried to any cheese or butter factory to be manufactured, any milk diluted with water or in any way adulterated, or from which any cream has been taken, or milk commonly known as "skimmed milk," or milk from which [the] part known as "strippings" has been withheld with the intent to defraud, or keeps or renders any false account of the quantity or weight of milk furnished at or to any factory for manufacture or sold to any manufacturer.

False accounts.

Impure and skimmed milk.

SECTION 10. No person or persons shall sell, exchange, or offer for sale or exchange, any unclean, impure, unhealthy, unwholesome milk, or sell, exchange, or offer for sale or exchange as "pure milk," milk diluted with water or milk known as skimmed milk.

Milk falsely labeled, etc.

SECTION 11. No person or persons shall sell, exchange, expose, or offer for sale or exchange, have in his possession or dispose of in any manner, any milk which is falsely branded, labeled marked or represented as to grade, quantity or place where produced or procured.

Cows unhealthily fed, etc.

SECTION 12. No person shall keep cows for the production of milk for any purpose, in a cramped or unhealthy condition, or feed them on unhealthy food, or upon food that produces impure, unhealthy or unwholesome milk.

Condensed milk.

SECTION 13. No person shall manufacture, sell, exchange, expose or offer for sale or exchange, any condensed milk, unless the package, can or vessel containing the same shall be distinctly labeled, stamped or marked with its true name, brand, by whom and under what name made, and no condensed milk shall be made, exchanged, exposed or offered for sale or exchange, unless the same be made from pure, clean, healthy, fresh unadulterated and wholesome milk, from which the cream has not been removed, or unless the proportion of milk solids contained in the condensed milk shall be in amount the equivalent of twelve per centum of milk solids in crude milk, and of such solids, twenty-five per centum shall be fat.

State institutions.

SECTION 14. No butter or cheese not made wholly from pure milk or cream, salt and harmless coloring matter, shall be used in any of the charitable or penal institutions of the State.

Penalties.

SECTION 15. Any person or persons violating any of the provisions or sections of this act shall, upon conviction thereof, be fined not less than fifty or more than two hundred dollars for the first offense, or for each subsequent offense not less than one hundred dollars or more than five hundred dollars, and be imprisoned not less than ten days or more than ninety days, or both.

Informers.

SECTION 16. One-half of all fines collected under any of the provisions of this act, shall be paid over to the person or persons furnishing information under which conviction is procured.

Repeals.

SECTION 17. That section 7089 of the Revised Statutes, and acts of April 13, 1881, vol. 78, page 130, and April 26, 1881, vol. 78, page 198, amendatory and supplementary of section 7090, and the act to prevent the manufacture and sale as butter of oleomargarine and other similar substances, passed April 27, 1885, vol. 82, page 159, are hereby repealed.

SECTION 18. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 271.]

AN ACT

To amend certain sections of the Revised Statutes therein named.

Coal mines:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 297, 298, 299, 299*a*, 301 and 6571 of the Revised Statutes of Ohio, as amended by acts passed April 12, 1884, (81 v. 153), and May 1, 1885, (82 v. 204), be and the same are hereby amended so as to read as follows:

Outlets required.

SEC 297. It is unlawful for the owner or agent of any coal mine, worked by a shaft, to employ or permit any person to work therein, unless there are, to every seam of coal worked in each mine, at least two separate outlets, separated by natural strata of not less than one hundred feet in breadth, by which shafts or outlets distinct means of ingress and egress are always available to the persons employed in the mine; but it is not necessary for the two outlets to belong to the same mine, if the persons employed therein have safe, ready and available means of ingress and egress by not less than two openings. This section shall not apply to opening a new mine while being worked for the purpose of making communication between said two outlets, so long as not more than twenty persons are employed at any one time in such mine, neither shall it apply to any mine, or part of a mine in which the second outlet has been rendered unavailable by reason of the final robbing of pillars previous to abandonment, so long as not more than twenty persons are employed therein at any one time. The cage or cages, and other means of egress shall at all times be available for the persons employed, where there is no second outlet. The escapement shafts shall be fitted with safe and available appliances by which the persons employed in the mine may readily escape in case an accident occurs deranging the hoisting machinery at the main outlets. To all other coal mines, whether slopes or drifts, two such openings or outlets must be provided within twelve months after shipments of coal have commenced from such

mine; and in case such outlets are not provided as herein stipulated, it shall not be lawful for the agent or owner of such slope or drift to permit more than ten persons to work therein at any one time In case a coal mine has but one shaft, slope, or drift, for the ingress or egress of the men working therein, and the owner thereof does not own suitable surface ground for another opening, he may select and appropriate any adjoining land for that purpose, and for approach thereto, and shall be governed in his proceeding in appropriating such land by the provisions of law in force, providing for the appropriation of private property by corporations, and such appropriation may be made, whether he is a corporator or not; but no land shall be appropriated under the provisions of this chapter until the court is satisfied that suitable premises can not be obtained upon reasonable terms.

Appropriation of land for second outlet.

Ventilation.

SEC. 298. The owner or agent of every coal mine, whether shaft, slope, or drift, shall provide and maintain for every such mine, an amount of ventilation of not less than 100 cubic feet, per minute, per person employed in such mine, which shall be circulated and distributed throughout the mine in such a manner as to dilute, render harmless, and expel the poisonous and noxious gases from each and every working-place in the mine, and no working-place shall be driven more than sixty feet in advance of a break-through, or air-way; and all break-throughs, or air-ways, except those last made near the working-faces of the mine shall be closed up and made air-tight, by brattice, trap doors, or otherwise, so that the currents of air in circulation in the mine may sweep to the interior of the mine, where the persons employed in such mine are at work, and all mines governed by the statute shall be provided with artificial means of producing ventilation, such as forcing, or suction fans, exhaust steam, furnaces, or other contrivances, of such capacity and power as to produce and maintain an abundant supply of air, and all mines generating fire-damp, shall be kept free from standing gas, and every working-place shall be carefully examined every morning with a safety lamp by a competent person or persons, before any of the workmen are allowed to enter the mine. All underground entrances to any places not in actual course of working or extension, shall be properly fenced across the whole width of such entrances so as to prevent persons from inadvertently entering the same.

Safety apparatus and precautions.

SEC. 299. The owner or agent of every coal mine operated by shaft, in all cases where the human voice cannot be distinctly heard, shall forthwith provide and maintain a metal tube from the top to the bottom of such shaft suitably calculated for the free passage of sound therein, so that conversation may be held between persons at the bottom and top of the shaft; there shall also be provided an approved safety catch, and a sufficient cover overhead, on all carriages used for lowering and hoisting persons, and in the top of every shaft an approved safety gate, and an adequate brake shall be attached to every drum or machine used for lowering or raising persons in all shafts or slopes; and there shall also be provided in every shaft a traveling or passage way from one side of a shaft bottom to the other, so that persons working therein may not have to pass under descending cages; and all slopes or engine-planes, used as traveling ways by persons in any mine,

shall be made of sufficient width to permit persons to pass moving cars with safety; but if found impracticable to make any slope or engine-plane of sufficient width, then safety-holes of ample dimensions, and not more than sixty feet apart, shall be made on one side of said slope or engine-plane. Such safety-holes shall always be kept free from obstructions, and the roof and sides shall be made secure. The boilers used for generating steam, and the buildings containing the boilers shall not be nearer than sixty feet to any shaft or slope, or to any building or inflammable structure connected with or surrounding said shaft or slope; but this section shall not apply to any shaft or slope, until the work of development and shipment of coal has commenced.

Boilers.

Safety lamps and ventilating apparatus.

SEC. 301. All safety lamps used for examining coal mines, or which are used in any coal mine, shall be the property of the owner of the mine, and shall be under the charge of the agent thereof, and in all mines, whether they generate fire damp or not, the doors used in assisting or directing ventilation of the mine, shall be so hung or adjusted that they will shut of their own accord and cannot stand open; and all main doors shall have an attendant, whose constant duty shall be to open them for transportation and travel, and prevent them from standing open longer than is necessary for persons or cars to pass through; and the mining boss shall keep a careful watch over the ventilating apparatus and the airways, and he shall measure the ventilation at least once a week, at the inlet and outlet, and also at or near the face of all the entries, and the measurements of air so made shall be noted on blanks, furnished by the mine inspector; and on the first day of each month the mining boss of each mine shall sign one of such blanks, properly filled, with the said actual measurements, and forward the same to the mine inspector. The owner or agent of every mine shall give notice of all deaths or serious injuries from accidents, in or about the mine, to the chief inspector of mines, in writing, and shall specify the name, age and occupation of the person killed or injured, and also the nature and character of the accident, and of the injury caused thereby. He shall also give notice to the chief inspector of mines in any or all of the following cases:

Notices to be given to chief mine inspector.

1. Where any working is commenced for the purpose of opening a new shaft, slope or mine to which this act applies.

2 Where any mine is abandoned or the working thereof discontinued.

3. Where the working of any mine is recommenced after any abandonment or discontinuance for a period exceeding three months.

4. Where the pillars of a mine are about to be removed or robbed.

5. Where a squeeze or crush, or any other cause or change may seem to effect the safety of persons employed in any mine, or where fire occurs, or a dangerous body of gas is found in any mine.

Penalty for violation of provisions relating to safety of mines and miners, etc.

SEC. 6871. Whoever knowingly violates any of the provisions of sections two hundred and ninety-seven, two hundred and ninety-eight, two hundred and ninety-nine, three hundred, three hundred and one, three hundred and two, and three hun-

dred and five, or does any act whereby the lives or health of the persons or the security of any mine and machinery are endangered, or any minor or other person employed in any mine governed by the statute, who intentionally and willfully neglects or refuses to securely prop the roof of any working place under his control, or neglects or refuses to obey any order given by the superintendent of a mine in relation to the security of the mine in the part thereof where he is at work, and for fifteen feet back from the face of his working place, or any person having charge of a mine, whenever loss of life occurs by accident connected with the working of such mine, or by explosion, who neglects or refuses to give notice thereof forthwith, by mail or otherwise, to the chief inspector of mines, and to the coroner of the county in which such mine is situate, or any such coroner who neglects or refuses to hold an inquest upon the body of the person whose death has been thus caused, and return a copy of his finding and all the testimony to the inspector, shall be fined not less than fifty dollars, or imprisoned in the county jail not more than thirty days, or both.

Notice of accidents.

Duty of coroner.

SECTION 2. That sections 297, 298, 299, 299a, 301 and 6871, as amended April 12, 1884, and May 1, 1885, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[Senate Bill No. 245.]

AN ACT

To amend section 2455 of the Revised Statutes of the State of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2455 of the Revised Statutes be amended so as to read as follows:

Cleveland Board of Fire Commissioners.

SEC. 2455 In cities of the second grade of the first class the management and control of the fire department shall be vested in seven commissioners, consisting of the mayor, who, by virtue of his office, shall be the president of the board, the chairman of the respective committees on fire and water, of the board of aldermen and board of councilmen; one commissioner, elected by the electors of such city, for one year, one for two years, one for three years, and one for four years; and at each annual municipal election hereafter, there shall be elected for the term of four years, one commissioner, who shall be a resident freeholder of the corporation, and the board shall consist of the mayor, chairman of such committees for the time being, and the four commission-

ers so elected, who shall hold their office until their successors are elected and qualified, and the board established by this section shall be in all respects the successors of the board whose places they take. Provided, that the present members of the said board of fire commissioners, elected by the people, holding office at the time of the passage of this act shall in nowise be affected in their tenure of offi e hereby.

Present board.

SECTION 2. Said original section 2455 be and is hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[Senate Bill No. 253.]

AN ACT

Supplementary to an act entitled an act "to provide for the extension of the geological survey of Ohio," passed May 1, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time for the preparation and completion of the second volume of the economic geology of Ohio is hereby extended to February 1, 1887, at which date the state geologist shall furnish to the governor for the legislature, the manuscript, maps and illustrations for said volume in proper form for publication, and sufficient to make a volume of the same size and general character as the other volumes of the geological survey report, and when published shall be termed Economic Geology, No. 6. The volume shall treat in particular of those portions of the Ohio coal field that were not reported upon in volume V, of the production of petroleum and inflammable gas in the State, of salt and bromine, of the composition, structure, strength and durability of the various building stones of the State, of the production of lime, natural cements and land plaster, and of other substances produced in the State that come under the head of economic geology.

"Economic Geology No. 6:" extension of time.

Of what it shall treat.

SECTION 2. In place of the chapter on petroleum and natural gas, which was to be presented for publication October 1, 1885, the state geologist shall furnish to the supervisor of public printing, on or before June 15, 1886, an abstract of the results of his investigations on these subjects during the last year, of which abstract there shall be printed under the contract for state printing twenty-five hundred copies, but the paper, maps and illustrations for said abstract shall be provided by the state geologist from the appropriation made on May 1, 1885. A statement of the results of the chemical work of the survey for the last year may also be appended to this abstract. Of the twenty-five hundred copies of said abstract printed, there shall be made the fol-

Investigation of petroleum and natural gas.

Publication and distribution of abstract of results.

lowing distribution: To the state library, fifty copies; to the state geologist, one hundred and fifty copies, the remainder to be equally divided among the members of the 67th general assembly.

Further work of survey.

SECTION 3. The further work of the survey shall be prosecuted under the system and by the regulations established in the act to which this is supplementary.

Appropriation.

SECTION 4. There is hereby appropriated from the general revenue fund, three thousand dollars for the purposes named above.

SECTION 5. This act shall take effect and be in force on and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 392.]

AN ACT

To amend sections 405, 408 and 409 of the Revised Statutes of the State of Ohio.

Commissioners of Fish and Game.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 405, 408 and 409 of the Revised Statutes of Ohio be amended so as to read as follows:

Appointment; terms.

SEC. 405. The governor, by and with the advice and consent of the senate, shall appoint five commissioners of fish and game, of whom not more than three shall belong to any one political party, one commissioner to serve for one year, one for two years, one for three years, one for four years and one for five years, and at the expiration of the term of office of each member of the commission, his successor shall be appointed for five years, who shall severally hold their office for five years, any one of whom may be removed by the governor at his pleasure.

Removals.

Duties.

SEC. 408. The commissioners shall examine the various rivers, lakes, ponds and streams in the State or bordering thereon, and ascertain whether they can be rendered more productive of fish and game, and what measures are required to effect this object, either in restoring the production of fish and game in and about them, or in protecting and propagating the fish which at present frequent and abound in them or otherwise; and the commissioners shall carry into effect all such measures, in this behalf, that they deem necessary, so far as means are placed at their disposal for these purposes; and they shall also inquire into the matter of the artificial propagation of fish in the waters of the State, and adopt such plans to test the efficiency of this mode of increasing the quality of edible fish as they think best.

Their report.

SEC. 409. The commissioners shall, annually, on or before the fifteenth day of January, make to the governor a report of their proceedings for the preceding year, giving in detail their

labor and operations, with such suggestions as they deem proper, and also a detailed statement of expenditures; and their report shall be published with the report of the state board of agriculture. The commissioners shall, at their annual meeting in January, or at any other time, appoint a fish and game warden in each county in the State, who shall hold his office for two years, unless sooner removed, and who shall be selected from the political party polling the most votes in such county at the preceding gubernatorial election; and they shall also appoint a special warden for the Mercer county, Lewiston, Six-mile, Licking, Laramie and Sippo reservoirs of the State; each warden shall, before entering upon the discharge of his duties, give a bond to the State, with surety to the satisfaction of the commissioners, in the sum of two hundred dollars, conditioned for the faithful performance of the duties of his office, which bond shall be deposited with the commissioners; it shall be the duty of the wardens under the general direction of the commissioners to police the territory, both land and water, of their respective counties and territories, arresting whenever found in the State all violators of the laws of the State enacted for the protection of fish and game; each warden shall, annually, on or before the first day of December of each year, make a detailed report to the commissioners of their labors, number of arrests made, number of convictions, with such other suggestions as they may deem proper; the compensation of the wardens shall be from fees, the same as are paid the sheriffs of their respective counties for similar services, to be paid from the county fish and game fund, which shall be made up from fines arising from convictions for violations of the fish and game law; and if in the judgment of the commissioners, special cases shall be entitled to increased compensation, it shall be paid by them out of the State fund set apart for their use.

Fish and game wardens.

Bond.

Duties.

Report.

Compensation.

SECTION 2. That sections 405, 408 and 409 of the Revised Statutes are hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 393.]

AN ACT

To amend sections 6960, 6961 as amended May 4, 1885, [section 6965] and section 6968 as amended May 4, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 6960, 6961 and 6965 of the Revised Statutes of the State of Ohio, and section 6968 as amended May 4, 1885, be amended so as to read as follows:

Killing or injuring certain birds; penalty.

SEC. 6960. Whoever shall, at any time, catch, kill or injure, or pursue with such intent, any swan, sparrow, other than English sparrow, robin, blue-bird, martin, thrush, mocking-bird, swallow, oriole, red-bird, grossbeak, cat-bird, chewink or ground-robin, pewee or phœbe-bird, wren, cuckoo, indigo-bird, nuthatch, creeper, yellow-bird or fringillo, yellow-hammer or flicker, warbler or finch, marvis, redstart, dummock, nightingale, cross-bill, croke, Hungarian robin, great-tit or blue-tit, or disturb or destroy the eggs of any such bird, shall be guilty of a misdemeanor, and on conviction shall be punished as hereinafter provided in section 6968.

Killing or injuring game at certain times and in certain ways; penalty.

SEC. 6961. No person shall, in any place, catch, kill or injure, or pursue with such intent, any quail or prairie chicken, except between the tenth day of November and the first day of January of each year, inclusive; or any wild turkey between the fifteenth day of January and last day of October, inclusive; or any ruffed grouse, or pheasant, or blue-winged teal between the first day of January and the last day of August, inclusive; or any mallard, wood-duck, or any other wild duck, between the tenth day of April and the last day of August, inclusive; or any wood-cock between the first day of January and the third day of July, inclusive; or any turtle-dove between the first day of January and the first day of August; or any squirrel between the first day of January and the first day of June; or any rabbit between the first day of February and the first day of October; or catch, or trap, or snare, at any time, any quail or Virginia partridge, or upon any bog, river, estuary, marsh, mud-flat, or in any cover to which wild fowl resort, by the aid of any swivel or punt gun, or any other gun than a common shoulder gun, or with or by the aid of any artificial light, or with the aid of or from any sink, boat or battery, or with any trap or net, kill or wound, or catch, or pursue with such intent, any wild goose, or brant, or wild duck, or any other water fowl, or destroy or disturb the eggs or nests of any such birds, or who shall use or attempt to use, or have in possession for use any ferret for killing or catching any rabbit or driving them from their burrows or hiding places. No person shall, in any place, catch, kill, injure, or pursue with such intent, any blue-winged teal, mallard, wood-duck, or any other duck, on Sunday, Monday or Tuesday of any week between the first day of September and the first day of April of any year. And any person violating any provision of this section shall be guilty of a misdemeanor, and on conviction, punished as hereinafter provided in section 6968.

Disturbing pigeon roosts, etc.

SEC. 6965. Whoever kills, maims, or discharges any fire arms at any wild pigeon while on its nesting ground or at its roosting place, or breaks up, or in any way disturbs any pigeon-roost or nesting, or the birds therein, or discharges any fire arms at any wild pigeon within one-half mile of any pigeon-roosting or nesting place, or disturbs or destroys any pigeon eggs or nestlings, or from, or by the aid of any sneak-boat, battery or sink boat, approaches by rowing, paddling, sailing, floating or sneaking, and fires upon any wild ducks or other water fowls sitting upon or as they rise from the open water of any bay or estuary, excepting only such water fowl as have been previously wounded, shall be

Sneak boats.

guilty of a misdemeanor, and on conviction, be punished as hereinafter provided in section 6968.

Regulating the catching, selling and killing of fish.

SEC. 6968. Whoever, in any body of water, whether natural or artificial, lying in the State of Ohio, or part therein, except in Licking county reservoir, from the first day of October until the first day of April, in Lake Erie, Sandusky and Maumee bays, and Mercer county reservoirs, catches in any way other than by hook and line any fish, except minnows, shall be guilty of a misdemeanor, and shall, on conviction, be punished as hereinafter provided. Whoever draws, sets, places, or locates any pound net, seine, gill net, trap, or any fish net or other device for catching fish, except minnows, aforesaid, in any of the waters of Lake Erie west of Avon Point, from the twenty-fifth of May to the fifteenth day of September of each year, or in the waters of Lake Erie east of Avon Point, from the tenth of June to the first day of October, shall be guilty of a misdemeanor, and shall, on conviction, be punished as hereinafter provided, and such seines, nets, weirs, and other devices shall be confiscated and destroyed wherever found. Whoever shall, at any time of the year, in Lake Erie, in the vicinity of the islands thereof and in the bays tributary thereto, upon the shoals and reefs therein, by means of any device whatever, except with hook and line, and whoever in any body of water, whether natural or artificial, lying in the State, or parts therein, shall shoot or spear or with the device known as trammel or pocket fyke, or gill net, fish or catch any fish, shall be guilty of a misdemeanor, and, on conviction, punished as provided hereafter. Whoever buys, sells, or offers for sale any fish caught out of season, or in any manner prohibited, or whoever, at any time of the year, in any waters of the State of Ohio, kills any fish by the use of dynamite, or any other explosive mixture, or by the use of any poisonous drug, bait, or food, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished as hereinafter provided; provided that nothing in this section, or the several statements of offenses herein contained, shall prevent the fish and game commissioners of this State, or their agents, from taking fish at any time or place for stocking ponds, lakes, and rivers, and for the maintenance and cultivating of fish artificially, and for no other purpose; and, provided, it is hereby made the duty of said fish and game commissioners and wardens, on complaint of any person, or otherwise, to prosecute all violations of this section, and any person may make complaint of all violations of this and the preceding sections of this act before any mayor or justice of the peace having jurisdiction of the same; and whoever shall violate any of the several provisions herein contained shall, for each and every such offense be fined not more than one hundred dollars and not less than twenty-five dollars, which shall go to a county fund in the county wherein the offense is committed, to be called the fish and game fund; and any person convicted of any violation of any provision of this act and refusing to pay the fine imposed, shall be imprisoned thirty days, unless the fine is sooner paid.

Penalty.

Seining.

Gill nets.

Dynamite.

Fish and game commissioners.

Penalty.

Fish and game fund.

SECTION 2. Sections 6960, 6961 as amended May 4th, 1885, and 6965 of the Revised Statutes of the State of Ohio, and sec-

tion 6968 as amended May 4th, 1885, be and are hereby repealed.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 451.]

AN ACT

To amend sections 2917 and 2919 of the Revised Statutes of Ohio, relating to primary elections, and supplementary thereto.

Primary elections:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2917 and 2919 of the Revised Statutes of Ohio be and the same are hereby amended so as to read as follows:

Notice.

SEC. 2917. Such notice must be ordered by a vote of the majority of the executive, central, or controlling committee of such association or party, and state the authority by which it is published, the purpose, time, manner, conditions, and places of the holding of such primary elections, the name of a legal voter of the precinct, who is to preside and supervise at such poll, and shall prescribe the qualifications, not inconsistent with the provisions of this chapter, of the persons to vote at such election; provided, that in cities of the first grade of the first class all primary elections shall be held between the hours of four p. m. and seven p. m.

Time of in Cincinnati.

Supervisors.

SEC. 2919. The person named in the notice as supervisor, or, in his absence, or refusal to serve, the person assuming, or chosen by the electors present, to be such supervisor, shall take an oath that he is a legal voter at such poll, that he will correctly and faithfully conduct such election, protect it against all frauds and unfairness, and carefully and truly canvass all votes cast thereat in the manner required by the authority appointing the election; and thereupon the supervisor shall cause the electors presen possessing the qualifications of persons entitled to vote under the notice to choose two judges and two clerks of elections to assist him in receiving and taking account of the votes cast, to each of whom shall be administered the same oath taken by the supervisor; and a township trustee or clerk, or an alderman, a member of council, trustee, or clerk of a municipal corporation, or a supervisor of election who has been duly sworn may administer the oath prescribed in this section; provided, that in cities of the first grade of the first class the judges and clerks of the respective political parties who have been appointed judges and clerks of elections in such cities by the board of elections thereof, shall serve as judges and clerks at all primary elections held by the respective parties in such city during their term of office. The members of the board of elections in cities of the first grade of

Judges and clerks.

In Cincinnati.

the first class representing their respective political parties, shall, each year during the month of October, appoint a judge of primary elections for each and every precinct in their city where their political party has but one judge of election; the judge of primary election so appointed shall serve for the term of one year from the first day of November next succeeding his appointment, and such judge of primary elections, with the judge and clerk of elections above mentioned, shall serve as judges and clerks respectively at all primary elections of such political party which may be held during their term of office. And it shall be the duty of such judges and clerks to conduct such primary elections in the manner provided in section 2933c, except as to the issuing of certificates of the election, which shall be issued to the candidates for delegates to the convention, and to ward officers of any description receiving the highest number of votes. The polling places shall be the same as at general elections; and the penalties relating to delegates to any convention, and providing against fraudulent voting, in section 7039 to section 7066, inclusive, shall be enforced for the same offenses at primary elections.

Appointment of judge.

Duty of judges and clerks as to conduct of elections.

Polling places.

Penalties.

SECTION 2. That the following shall be enacted as supplementary to section 2919 of the Revised Statutes of Ohio:

SEC. 2919*a*. Each judge and clerk appointed as aforesaid and serving as judge or clerk at the primary election of his political party for which he has been appointed as aforesaid, shall receive the sum of two dollars for such services on the day on which such primary election is held; such compensation shall be paid to said judges and clerks for each of the political parties, on the certificate of the president of the board of elections of such city, out of the general fund of the city for which they are appointed; and all other necessary expenses of holding such elections shall be paid out of such fund, upon the warrant of the president.

Compensation of judges and clerks.

Expenses.

SEC. 2919*b*. Any judge or clerk refusing or failing to serve at a primary election as above required, shall be subject to the same fines and penalties as are now provided by law in section 2933c, fixing fines and penalties for judges and clerks who serve at a general election in cities of the first grade of the first class.

Refusal or failure to serve.

SECTION 3. That said original sections 2917 and 2919 of the Revised Statutes be and the same are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 483.]

AN ACT

To provide for the payment of improvements and to meet liabilities.

Appropriations for improvements abutting on State property.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and are hereby appropriated from any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the following sums of money for the purposes herein named:

State Capitol:

For removing the mud from and graveling the roadway of Third street from Broad street to State street, 660 feet, at 29 cents per foot, for the year 1885, $191.40.

Deaf and Dumb Asylum:

For grading and paving the roadway with Murphy's patent boulder pavement, and setting five-inch Berea curb on Washington avenue, from Broad street to Town street, in the year 1885, 576.50 feet, at $3.63 7 07-100 mills per foot, $2,096.77.

Ohio State University:

For grading and graveling the roadway of Woodruff avenue from High street to Neil avenue, in the year 1885, 1,544 feet, at 40 cents 7 2-10 mills per foot, $628.72.

Blind Asylum:

For grading and boulder paving full width Brydon alley from Parson's avenue to Allen avenue, in the year 1885, 690 61 feet, at 79 cents 4 55-100 mills per foot, $548.72

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 497.]

AN ACT

To provide for the reversion and use of abandoned fair grounds in certain cases.

Franklin county fair grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in counties in which there are located cities of the first grade of the second class, when agricultural societies are dissolved or cease to exist, when payments have been made for real estate, or improvements upon such real estate, for the use of such societies by such counties, such real estate and improvements may vest in fee simple in the counties by which such payments were

made, and such real estate shall be held for the use of a public park for the people of said county, anything in section 3705 to the contrary notwithstanding.

SECTION 2. Such real estate so held shall be under the supervision and control of a park commission consisting of five persons, two of whom shall be appointed from the country by the county commissioners, and two from the city to be appointed by the mayor. Said commissioners shall be appointed for the term of one year, and shall serve until their successors, who shall be appointed in the same manner, shall be appointed. The mayor shall be ex-officio a member of said commission and entitled to vote on all questions coming before it. Any fund under the control of said agricultural society when it shall cease to exist as aforesaid shall be turned over to such park commissioners.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 40.]

AN ACT

Supplementary to section 3238 of the Revised Statutes of Ohio, and to provide for amending articles of incorporation.

Amendment of articles of incorporation.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section shall be supplementary to section 3238 of the Revised Statutes of Ohio, with sectional numbering as follows:

How made.

SEC. 3238*a*. Any corporation incorporated under the general corporation laws of the State, may, at any meeting of its members or stockholders, of which, and of the business to come before said meeting thirty days' notice has been given by a majority of the directors or trustees of said corporation in a newspaper published and of general circulation in the county where the principal place of business of said corporation is located, by a vote of the owners of at least three-fifths of its capital stock then subscribed, in the case of corporations having a capital stock, or by a vote of at least three-fifths of its members of corporations having no capital stock, amend its articles of incorporation so as to change its corporate name; or the place where it is to be located, or where its principal business is to be transacted; or so as to modify, enlarge or diminish the objects or purposes for which it is formed; or so as to add thereto anything omitted from, or which might lawfully have been provided for in such articles originally; provided, however, that nothing in this supplementary section contained shall authorize a corporation, by amendment, to increase or diminish the amount of its capital stock;

Authorized amendments.

Proviso.

nor shall any corporation, by amendment, change substantially the original purposes of its organization. When adopted, a copy of such amendment, with a certificate thereto affixed, signed by the president and secretary of the corporation, and sealed with the corporate seal, if any there be, stating the fact and date of the adoption of such amendment, and that such copy is a true copy of the original, shall be recorded in the office of the secretary of state, who shall note on the margin of the record of the original articles of incorporation of said corporation, and on the margin of the index thereto, the volume and page where such amendment is recorded; and no such amendment shall take effect until filed for record with the secretary of state as herein provided, and until the secretary of the corporation shall have given notice, for three consecutive weeks, in some newspaper of general circulation in the county where the principal office of the corporation is situated, of such amendment; provided, however, that any or all of the notices required by this section may be waived whenever the holders of all of the capital stock, of a corporation having a capital stock, or all the members of a corporation having no capital stock, consent thereto in writing. But no corporation shall change its name to one already appropriated, or to one likely to mislead the public; nor shall any corporation, by amendment, provide for a purpose which is unlawful. For recording such amendments and for furnishing a certified copy, the secretary of state shall receive a fee of twenty cents a hundred words, to be in no case less than five dollars.

Record.

Notice.

Waiver.

Fee.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 199.]

AN ACT

To amend section 2753 of the Revised Statutes.

Assessors:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2753 be so amended as to read as follows:

Assessing realty and new structures not before assessed.

SEC. 2753. At the time of taking the lists of personal property the assessor shall also take a list of all real property which shall have become subject to taxation, and is not on the tax list, and affix a value thereto, according to the rules prescribed for district assessors in assessing real estate; and he shall also make and return a list of all new buildings or other structures of any kind of over one hundred dollars in value, the value of which shall not have been previously added to, or included in the valuation of the land on which such structures have been erected, specifying the tract or lot of land on which each of such structures has been erected, the

kind of structure and the value which, in his opinion, has been added to such tract or lot by the erection thereof; and in case of the destruction by fire, flood, cyclone, storm or otherwise, of any structure of any kind, or of orchards, timber, ornamental trees or groves, over one hundred dollars in value, the value of which shall have been included in any former valuation of the tract or lot on which the same stood, the assessor shall determine as near as practicable how much less valuable such tract or lot is in consequence of such destruction, and make return thereof; and in case the assessor shall fail or neglect so to do, then the county or city board of equalization shall perform such duty, and the auditor shall deduct the same from the value thereof as it stands on the tax-list, and if said assessor shall ascertain that at the last decennial period or annual return, a mistake in the value of any improvement or betterment of any real property has occurred, or that the true value thereof has been omitted, then and in such case it shall be the duty of the assessor to return the correct value thereof, first giving notice of such action on his part to the owner or agent of his intention so to do, and such addition shall be a proper subject for the determination of the next annual board of equalization, upon the petition of the owner or agent of such property being filed for that purpose, and all additions made by the assessor as contemplated by this section, as well as all such as may be made under the provisions of section 2781, shall be placed upon the grand duplicate of the county, and placed in the hands of the county treasurer for collection, subject to be modified by the action of the next annual board of equalization.

Structures, trees, etc., destroyed by fire, cyclones, etc

Incorrect decennial valuation.

Additions.

SECTION 2. Section 2753 aforesaid is hereby repealed.

SECTION 3. This act shall take effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 205.]

AN ACT

To amend section 6929 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6929 of the Revised Statutes be so amended as to read as follows:

SEC. 6929. Whoever writes, prints or publishes in any way, an account of any lottery or scheme of chance, of any kind or description, by whatsoever name, style or title the same may be denominated or known, stating when or where the same is to be or has been drawn, or the prizes therein, or any of them, or the price of a ticket, or showing therein where any ticket may be, or has been obtained, or in any way giving publicity to such lottery

Advertising lotteries; penalty.

or scheme of chance, shall be fined not more than five hundred dollars or imprisoned in the county jail not more than six months, or both; and such person shall be liable to prosecution in each and every county where such publication shall be, by such person, circulated.

Pending prosecutions

SECTION 2. That said original section 6929 is hereby repealed. Provided, that all violations thereof, and all prosecutions now pending under said section shall not be affected by the repeal thereof, but that the same shall be prosecuted to final conviction and sentence as though this act had not been passed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 206.]

AN ACT

To amend sections 931, 932, 970, 971 and 976 of the Revised Statutes of Ohio.

Children's home:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 931, 932, 970, 971 and 976 of the Revised Statutes of Ohio be amended so as to read as follows:

Admissions to home.

SEC. 931. The home shall be an asylum for all children under the age of sixteen years, of a sound mind, and free from all infectious or contagious diseases, and having resided in the county not less than one year; and such other children under such age from other counties in the State where there is no home located as the trustees of such home and the party, parties, or authorities, having the custody and control of such children, by contract, agree upon, who, by reason of abandonment by parents, or orphanage, or neglect, or inability of parents to provide for them, in the opinion of the trustees, are suitable children for such provision; and they shall be admitted by the superintendent on the order of a majority of such trustees, accompanied by a statement of facts signed by them, setting forth the name, age, birthplace, and present condition of the child named in such order, which statement of facts contained in the order, together with any additional facts connected with the history and condition of said children, shall be, by the superintendent, recorded in a book provided by him for that purpose by the commissioners of such county, which book shall be at all times open for inspection, at the discretion of the trustees.

Power of trustees over children.

SEC. 932. All the inmates who have been neglected or abandoned, as aforesaid, or who have been by the parent or guardian voluntarily surrendered to the trustees, shall be under the sole and exclusive guardianship and control of the trustees during their stay in said home; and, until they arrive at the age of sixteen years, if

they are indentured or adopted, as hereinafter provided, then until they become of lawful age, the trustees may remove any child or children becoming a charge upon the county, who has no legal settlement therein, to the county it or they may belong, and all charges and expenses so made shall be paid by the county to which it or they belong. And said trustees shall also have power to discharge any of the inmates of said home, and when so discharged, the parents or guardian shall assume power and authority; and the trustees may return any of the inmates of said home to the parents or guardians of such inmates, when they believe them capable of caring and providing for themselves, or their parents or guardians for them.

Transfer of children from infirmaries to private charitable homes.

SEC. 976. In the several counties of this State where there is not a children's home established or maintained under the laws passed for that purpose, and where there is such a home established by private charity or otherwise, the infirmary directors of any such county shall have authority, in case any child under sixteen years of age, of a sound mind, and free from all infectious or contagious diseases, becomes a county or township charge, to transfer such child to said home established and maintained by private charity or otherwise, instead of committing it to the county infirmary; but the cost for maintaining such child shall be the same as in similar institutions while it remains a public charge.

Separate rooms for lunatics, etc., in infirmaries.

SEC. 970. The commissioners of every county in which there now is, or may hereafter be established a county infirmary, shall provide separate apartments in or adjoining such infirmary for the safe-keeping and treatment of lunatics, idiots and epileptics, residents in such county, and who have not been, and can not be, received into either of the lunatic asylums, or who have been discharged therefrom.

Their admission to infirmaries.

SEC. 971. The directors of the county infirmary, as soon as apartments are provided as aforesaid, shall admit therein all lunatics, idiots and epileptics who are or may become a charge upon their county, and provide for their safe-keeping, support, and treatment in such manner as they now do for the poor under their care, and also shall receive and provide for the safe-keeping, support and treatment of such lunatics, idiots and epileptics in their county who, by their guardians or friends, may apply for admission as pay patients, under such rules and regulations as the directors prescribe.

Pay patients

SECTION 2. That said original sections, 931, 932, 970, 971 and 976 are hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 208.]

AN ACT

To amend sections 839, 957 and 1013 of the Revised Statutes of Ohio.

County officers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 839, 957 and 1013 of the Revised Statutes of Ohio be so amended as to read as follows:

Commissioners: number and term.

SEC. 839. The board of county commissioners consists of three persons, one of whom shall be chosen every year, and shall hold his office for three years, commencing on the first Monday in January next after his election.

Infirmary directors: election, number and term.

SEC. 957. In every county in which there is a county infirmary, there shall be a board of infirmary directors, composed of three persons, one of whom shall be chosen every year, and shall hold his office for three years, commencing on the first Monday in January next after his election: They shall be chosen by the electors of the county, unless part of the county is not taxed for the support of the county infirmary, in which case they shall be voted for only by the residents of the territory so taxed.

Auditor: term.

SEC. 1013. A county auditor shall be chosen, triennially, in each county, who shall hold his office for three years, commencing on the second Monday of September next after his election.

SECTION 2. That sections 839, 957 and 1013 of the Revised Statutes of Ohio be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 243.]

AN ACT

To amend section 2186 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2186 of the Revised Statutes of Ohio be amended so as to read as follows:

Board of improvements.

SEC. 2186. When the council of a city establishes a board of improvements, such board shall be composed of the mayor, civil engineer, the street commissioner, the chairman of the committee on streets of the council, and one freehold elector of the corporation, to be appointed by the mayor, with consent of the council, for such time as may, by ordinance, be determined; provided,

Cleveland.

that in cities of the second grade of the first class, such board shall be composed of the mayor, the civil engineer, the street commissioner, one freehold elector of the corporation, to be elected by the council, the chairman of the committee on streets of the board of aldermen and the chairman of the committee on

streets of the board of councilmen; and provided further, that in cities of the first grade of the first class there shall be no such board, but the duties of the board, defined herein, are devolved upon the board of city commissioners, which board shall, in addition to its other powers and duties, have all the powers and perform all the duties required of the board of improvements in this chapter, not inconsistent with the duty of the board of city commissioners. Cincinnati.

SECTION 2. That said original section 2186, be and is hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 255.]

AN ACT

To apportion the State of Ohio into congressional districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the State of Ohio shall be divided into twenty-one districts for the election of representatives to congress, and each district shall choose one representative in the manner following, to-wit: Congressional apportionment.

First District—That so much of the county of Hamilton as is now contained within the limits of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and eighteenth wards of the city of Cincinnati as they are now constituted, and the townships of Anderson, Columbia, Spencer, Symmes and Sycamore, and Avondale and the North-east, South-east, St. Bernard, Bond Hill and Elmwood precincts of Mill Creek township shall compose the first district.

Second District—The balance of the county of Hamilton now contained within the limits of the twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth and twenty-fifth wards of the city of Cincinnati, as they are now constituted, and the townships of Springfield, Colerain, Greene, Delhi, Miami, Whitewater, Harrison and Crosby, and Clifton, College Hill, Winton Place and western precincts of Mill Creek township shall compose the second district.

Third District—The counties of Preble, Miami and Montgomery shall compose the third district.

Fourth District—The counties of Darke, Shelby, Mercer, Auglaize and Allen shall compose the fourth district.

Fifth District—The counties of Putnam, Hancock, Wyandot, Seneca and Crawford shall compose the fifth district.

Sixth District—The counties of Wood, Fulton, Williams, Henry, Defiance, Paulding and Van Wert shall compose the sixth district.

Seventh District—The counties of Butler, Greene, Clermont and Warren shall compose the seventh district.

Eighth District—The counties of Clarke, Pickaway, Champaign, Logan and Madison shall compose the eighth district.

Ninth District—The counties of Knox, Delaware, Morrow, Union, Marion and Hardin shall compose the ninth district.

Tenth District—The counties of Sandusky, Ottawa, Lucas and Erie shall compose the tenth district.

Eleventh District—The counties of Adams, Scioto, Lawrence, Gallia, Jackson and Vinton shall compose the eleventh district.

Twelfth District—The counties of Clinton, Highland, Fayette, Brown, Ross and Pike shall compose the twelfth district.

Thirteenth District—The counties of Fairfield, Franklin, Hocking and Perry shall compose the thirteenth district.

Fourteenth District—The counties of Richland, Ashland, Huron and Lorain shall compose the fourteenth district.

Fifteenth District—The counties of Meigs, Athens, Morgan, Washington and Monroe shall compose the fifteenth district.

Sixteenth District—The counties of Licking, Muskingum, Coshocton, Holmes and Tuscarawas shall compose the sixteenth district.

Seventeenth District—The counties of Belmont, Harrison, Jefferson, Guernsey and Noble shall compose the seventeenth district.

Eighteenth District—The counties of Carroll, Columbiana, Mahoning and Stark shall compose the eighteenth district.

Nineteenth District—The counties of Portage, Lake, Geauga, Ashtabula and Trumbull shall compose the nineteenth district.

Twentieth District—The counties of Summit, Medina and Wayne, and the townships of Bedford, Chagrin Falls, East Cleveland, Euclid, Mayfield, Newburg, Orange, Warrensville and Solon in Cuyahoga county, and the twenty second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth and twenty-seventh wards of the city of Cleveland shall compose the twentieth district.

Twenty-first District—The townships of Brecksville, Brooklyn, Dover, Middleburg, Olmstead, Parma, Independence, Rockport, Royalton and Strongsville in Cuyahoga county, and the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty seventh, thirty-eighth, thirty-ninth and fortieth wards of the city of Cleveland shall compose the twenty-first district.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 262.]

AN ACT

To amend sections 756 and 759 of the Revised Statutes of Ohio.

Boys' Industrial School.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 756 and 759 of the Revised Statutes of Ohio, as amended February 23, 1886, (83 v. 6), be amended so as to read as follows:

Conveyance to school of sentenced youth and delivery to superintendent.

SEC. 756. Any such youth upon being sentenced to the boys' industrial school, shall, within five days after such sentence, unless the court giving such sentence shall otherwise order, be conveyed to said industrial school by the sheriff of the county in which the conviction was had, or by some other suitable person designated by the court giving the sentence, and delivered into the custody of the superintendent of the boys' industrial school, together with a statement of the offense for which such youth was convicted, also his age, and a copy of the sentence of the court.

Transportation expenses; costs of commitment

SEC. 759. The expenses incurred in the transportation of a youth to the boys' industrial school, shall be paid by the county from which he is committed, to the officer or person delivering him, upon the presentation of his sworn statement of account of such expenses; and the costs in any case, shall be paid in like manner, upon the certificate of the proper officer of the court in which he was convicted; if, however, such youth has been convicted of a crime, the punishment of which is confinement in the penitentiary, the costs in the case, and the expenses of his transportation shall, on like statement and certificate, be paid out of the State treasury.

SECTION 2. Said sections 756 and 759, as amended February 23, 1886, (83 v. 6), are hereby repealed

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 395.]

AN ACT

To amend section 3234 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3234 be so amended as to read as follows:

Application of existing laws to corporations created prior to 1851.

SEC. 3234. Corporations created before the adoption of the present constitution, which take any action under or in pursuance of this title, shall thereby and thereafter be deemed to have consented, and shall be held to be a corporation, and to have and exercise all and singular its franchises under the present constitution and the laws passed in pursuance thereof, and not other-

Proviso.

wise; provided, that any fire insurance company so created, complying with the requirements of section 3655, shall not be deemed to have consented, and shall not be affected by the provisions of this section by reason of such compliance.

SECTION 2. That section 3234 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 452.]

AN ACT

To amend section 6998 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6998 of the Revised Statutes of Ohio be so amended as to read as follows:

Permitting minors to play pool or billiards.

SEC. 6998. Whoever, being the owner or keeper of a billiard saloon, or the owner or keeper of a billiard table, at a grocery or other public place, permits or suffers a minor under the age of eighteen years to play at the game of billiards, or pool, in such saloon, grocery, or other public place, or upon such billiard table, or to be or remain in such saloon, grocery, or other public place, shall be fined, for the first offense, twenty dollars, and for each succeeding offense fifty dollars; and for the fine and costs adjudged in any prosecution under this section, the billiard table and fixtures shall be liable to be seized on execution, and sold, without exemption.

Penalty.

SECTION 2. Said original section 6998 is hereby repealed.

SECTION 3. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 465.]

AN ACT

To amend sections 964, 974 and 1496 of the Revised Statutes of Ohio, as amended April 15, 1880.

Infirmary directors:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 964, 974 and 1496 of the Revised Statutes of Ohio, as amended April 15, 1880, be so amended as to read as follows:

Annual certificate to commissioners.

SEC. 964. The board of directors shall, on the first Monday of March, annually, certify to the county commissioners the amount of money they will need for the support of the infirmary for the ensuing year, and said board may, annually, expend for needful repairs and improvements, any sum not exceeding two

hundred dollars, of which repairs and improvements an itemized account shall be presented by the board, and when allowed by the commissioners, shall be paid out of the poor fund. Repairs and improvements.

SEC. 974. When, in any county having an infirmary, the trustees of a city or township shall, after making the inquiry provided for, be of the opinion that the person complained of is in a condition requiring public relief, they shall forthwith transmit a statement of said facts, together with the amount of relief furnished, if any, so far as they have been able to ascertain the same, to one of the directors of the infirmary; and if it appears that such alleged pauper is legally settled in said township, or has no legal settlement in this State, or that such settlement is unknown, and the director is satisfied that said alleged pauper requires public relief, he shall forthwith receive said pauper, and provide for him or her in said institution, and furnish transportation for said pauper to the infirmary, and thereupon the directors shall certify to the correctness of the items contained in the bill of said trustees, for costs and expenses incurred by them in affording temporary relief to said pauper, and if said statement of facts, so ascertained by said trustees, is transmitted to one of the directors of the infirmary within five days after the same came to their knowledge, then said bill of such trustees shall be paid out of the poor fund of the county, upon the warrant of the auditor thereof; but the directors may discharge any inmate of the infirmary. Duty of trustees and directors as to relief of paupers. Costs of relief, how paid.

SEC. 1496 When it has been ascertained by the trustees of a city or township that any pauper therein has a legal settlement in some other county of this State, they shall immediately notify the directors of the infirmary of the county in which such pauper is found, and said directors shall immediately, should the pauper's health permit, remove said pauper to the infirmary of the county where his or her legal settlement is, which county shall pay all expenses of such removal and the necessary charges for relief; provided, a written notice is given to the infirmary directors of said county within twenty days after such legal settlement has been ascertained, and upon refusal or failure to pay therefor, may be compelled so to do by a civil action by the board of infirmary directors of the county from whence the removal is made, against the board of infirmary directors of the county to which such pauper is removed, in the court of common pleas of the county to which such pauper is removed; but if such notice shall not be given within twenty days after the directors first named are advised of such pauper's residence, then in that case, the directors of the infirmary where such pauper belongs shall not be liable for any charges or expenditures whatever accruing prior to said notice. Removal of foreign paupers to their own county. Costs. Notice to foreign directors. Failure to give notice.

SECTION 2. Said sections 964, 974 and 1496 as amended April 15, 1880, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 484.]

AN ACT

To authorize any city of the first grade of the first class to issue bonds for purposes specified therein.

Cincinnati authorized to issue bonds to purchase certain turnpikes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the sinking fund commissioners of any city of the first grade of the first class be and they are hereby authorized and directed to issue bonds of such city not to exceed in the aggregate forty thousand dollars to pay the purchase price of so much of the Colerain, Oxford and Brookville turnpike and the Cincinnati and Hamilton turnpike as lies within the limits of said city, provided, that the purchase price of each of said roads shall not exceed twenty thousand dollars, which price shall be determined in accordance with the mode prescribed in section 3491 of the Revised Statutes of Ohio.

SECTION 2. Such bonds shall be of such denomination and mature at such time or times as said sinking fund commissioners may determine, not to exceed ten years from the date of issue, and to bear interest at a rate not to exceed five per cent. per annum, and are not to be sold for less than their par value.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 521.]

AN ACT

To amend section 321 of the Revised Statutes of Ohio, as amended April 18, 1881, (78 O. L. 184.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 321, as amended April 18, 1881, (78 O. L. 184), be amended so as to read as follows:

Award of printing contracts.

SEC. 321. The commissioners of printing shall, within two days after the expiration of the term for receiving proposals as aforesaid, proceed to open all such proposals by them received, and they shall, on careful examination and computation, award the contract for each class of printing to the lowest responsible bidder therefor; but should the commissioners be of the opinion there was collusion between the bidders, or the lowest proposal or proposals are too high, they may reject any or all bids, and re-advertise for two weeks for proposals for such classes of printing as are not awarded, and proceed to relet said printing as is provided in this and the preceding section, or they may, if they think it to the best interests of the State, contract

with any responsible party or parties, who file a bond or bonds for the execution of the work as provided in the preceding section; should the commissioners advertise the second time for proposals and they are satisfied there has been collusion between the bidders, or the lowest bid or bids are too high, they may reject any or all of such bids, if in their opinion it will be for the best interests of the State, and contract with any party or parties who file a bond or bonds as above provided for the execution of the class or classes of printing not awarded. Nothing herein contained shall be construed so as to prevent the same person from becoming contractor for two or more classes of the printing if he shall be the lowest bidder therefor. If two or more persons shall bid the same and the lowest price for any class or classes of the printing, the commissioners shall award the contract to such one or more of them as in their opinion will best subserve the interests of the State, having reference however, to a division of the work, as far as practicable, among the several lowest bidders as aforesaid. If two or more bidders shall propose for the same contract, and the proposal of one shall be lower on composition, and that of another lower on presswork, then the commissioners shall make a strict computation, based on the work of the same class of printing of the preceding year, and assign the contract for such class to the lowest aggregate bidder, for such class as shall appear by such computation; provided, however, that in the notice for proposals prescribed in section three hundred and twenty, it shall be the duty of the commissioners of public printing to state the time within which all the printing included in the second, third and fourth classes shall be completed after the manuscript for the same has come into the hands of the printer, and no contract therefor shall be awarded, unless the same contains an agreement fixing the time for the completion of all the printing included in the second, third and fourth classes after the manuscript for the same has come into the hands of the printer. And should, in the judgment of the commissioners of public printing, the time so fixed, at any time prove unreasonable or inequitable, the said commissioners are authorized to extend said time, the period for the printing of no book or report to exceed six months. And said commissioners are hereby authorized to reject any or all bids, if in their judgment the bidder has not proper facilities for the doing of said printing. All printing under this section must be executed within the State, and all appertaining to the first and fifth classes must be executed at the city of Columbus. The necessary expense of the transportation of paper, proof or printed sheets, to and from Columbus, shall be defrayed by the contractor.

Time for completion of work.

SECTION 2. Said section 321, as amended April 18, 1881, be and the same is hereby repealed.

SECTION 3. This act shall take effect from its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 522.]

AN ACT

Supplementary to section 248 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 248 of the Revised Statutes of Ohio, with sectional numbering as herein provided:

Duty of commissioner of railroads as to differences between citizens and common carriers.

SEC. 248a. When the commissioner, on complaint or otherwise, has reason to believe that differences have arisen between citizens of the State and any corporation operating as a common carrier, within the State, he shall examine into the matter, and shall report his findings to the general assembly, if in session, otherwise to the governor.

SECTION 2. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 529.]

AN ACT

To amend section 4156 of the Revised Statutes of Ohio.

Chattel mortgages:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4156 of the Revised Statutes, as amended March 9, 1880, (77 v. 57), be so amended as to read as follows:

Certified copies as evidence.

SEC. 4156. A copy of the record of such instrument, duly certified by the officer making the same, shall be admitted in evidence and be considered as proof to the extent provided in section 4143; and a copy of such original instrument, or a copy thereof, filed as aforesaid, including a statement made in pursuance of the two next preceding sections, certified by the officer in whose office the same is filed, shall be received in evidence, but only of the fact that such instrument or copy, and such statement, was received and filed according to the indorsement of the officer thereon, and of no other fact; and, in all cases, the original indorsement by the officer upon such instrument or copy, shall be received in evidence only of the facts stated in such indorsement.

Indorsement.

SECTION 2. That section 4156 of the Revised Statutes, as amended March 9, 1880, (77 v. 57), is repealed.

SECTION 3. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 614.]

AN ACT

To provide for the restoration of records of justices' and mayors' courts.

Restoration of records of justices' and mayors' courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled an act to amend section 5084 and section 907, as amended April 2, 1880, and to supplement sections 5339, 528, 907, 4935, and 7092 of the Revised Statutes of Ohio, passed April 12, 1884, be and the same is hereby made applicable to justices' and mayors' courts.

SECTION 2. This act shall take effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 638.]

AN ACT

Providing payment for the completion, by the chief clerks of the senate and house of representatives, of the record of the journals of the present session.

Appropriation for chief clerks of House and Senate.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the chief clerks of the senate and house of representatives, respectively, be and they are hereby allowed the sum of one thousand dollars ($1,000) for completing the record of the journals of the senate and the house of representatives for the present session.

SECTION 2. That for the purpose of carrying into effect the provisions of the foregoing section, there be and is hereby appropriated out of any funds in the state treasury to the credit of the legislature, the sum of two thousand dollars, one thousand dollars thereof payable to the chief clerk of the senate, and the remaining one thousand dollars to the chief clerk of the house of representatives, as aforesaid.

SECTION 3. The money hereby appropriated shall be paid, at the rate of five dollars per day, as the work of completing said record progresses, but the aggregate amount thereof shall not be paid until said work shall have been fully completed; and the auditor of state is hereby authorized to draw his warrant, from time to time, on the treasurer of state in favor of said clerks, upon the presentation by them of proper vouchers, duly certified by said clerks to be correct, for such sum as may be therein designated, until the aforesaid sum of one thousand dollars to each shall have been fully paid.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 240.]

AN ACT

Supplementary to an act passed May 1, 1885, entitled "an act to amend an act entitled an act to authorize the Ohio state board of agriculture to issue bonds for fair ground improvements, passed April 10, 1884."

State Board of Agriculture authorized to issue second mortgage bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the Ohio state board of agriculture, having been, by the said act passed May 1, 1885, "authorized to borrow money not exceeding eighty thousand dollars, and to issue its bonds therefor in such denominations as it may deem best, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and secure the payment of the same by a mortgage of its real estate, with the improvements thereon," and the said state board having borrowed sixty thousand dollars and no more of the sum so authorized, and issued its bonds therefor, and secured their payment by a first mortgage of its real estate and the improvements thereon, is hereby authorized to borrow money not exceeding the remaining twenty thousand dollars of the eighty thousand dollars authorized by said act passed May 1, 1885, and to issue its bonds therefor, in such denominations as it may deem best, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to secure the payment of the same by a second mortgage of its real estate, and the improvements thereon, now held and owned by it; said bonds to be payable, said money so borrowed to be used, and the payment of the said indebtedness so incurred by virtue hereof to be provided for in all respects as prescribed and provided in said act passed May 1, 1885, to which this act is supplementary.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[Senate Bill No. 259.]

AN ACT

Making appropriations for paying Ohio national guards for services at Cincinnati and for other purposes.

Appropriation to pay for services and expenses of Ohio national guard at Cincinnati.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money in the treasury to the credit of the general revenue fund, to pay for the services of the Ohio national guard called into active service by the governor, upon the demand of the mayor and police commissioners of Cincinnati, dated May 7, 1886; also to pay for transportation, subsistence, quartermaster's supplies, medical supplies and all other expenses incurred under proper authority necessary for the maintenance and comfort of the troops under

said call, the sum of forty thousand dollars, or so much thereof as may be necessary. The money appropriated by this section shall be paid according to law, on proper vouchers, after the same have been approved by the adjutant general of the State.

Expenses of investigating committee.

SECTION 2. For expenses of legislative investigating committee, three thousand five hundred dollars ($3,500).

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 345.]

[CINCINNATI AND CLEVELAND.]

AN ACT*

To amend the supplementary section 2926 of the Revised Statutes, as amended May 4, 1885, and to provide for determining the legal residence of electors in cities of the first and second grades in the first class, and for conducting elections in such cities.

Registration law:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2926 of the Revised Statutes, as amended by the act passed May 4, 1885, be amended and supplemented as follows:

Election precincts.

SEC. 2926. In cities of the first grade in the first class, when six hundred votes or more have been cast at the [last] preceding election in any ward or in any precinct in any ward, such ward or election precinct shall be divided by the board of elections hereinafter provided for, into two or more election precincts, so as to limit the number of voters in each ward or precinct to three hundred, as nearly as may be practicable, from time to time; and in cities of the second grade in the first class, the board of elections thereof may divide any ward or election precinct so as to secure the convenience of electors and the prompt and correct conduct of elections.

Registration required of voters.

SEC. 2926*a*. In cities of the first and second grades in the first class, no person shall be deemed or held to have acquired a legal residence in any ward or election precinct for the purpose of voting therein at any election, general or special, nor shall he be admitted to vote at any such election therein, unless he shall have caused himself to be registered as an elector in such ward or precinct, in the manner and at the time hereinafter required.

Board of elections: how constituted.

SEC. 2926*b*. The governor of the State shall appoint for each city of the first and second grades in the first class a "board of elections," to consist of four electors of such city, of well-known intelligence and integrity, not more than two of whom shall be of the same political party, or so reputed. No person shall be ap-

*The words in this act contained in brackets were in the act as it passed both houses but were omitted by the enrolling clerk in copying.

Disqualifications of members.

pointed or be a member of such board, who holds any office under the United States, the State of Ohio, or of such city, or the county in which such city is situated, or who is employed in any department of such city or county, or by any officer of such city or county; and all votes cast at any election for any person, who is, or within three months next preceding such election, has been,

Appointment of members; terms.

a member of such said board, shall be absolutely void. In the appointment of such board of elections by the governor, two members of different political parties shall be designated to serve for two years from the date of their appointment, and the other two, also to be of different political parties, shall be designated to serve for four years from that time; and biennially thereafter the governor shall appoint two members of different political parties

Removals; vacancies.

for the term of two years For misconduct or neglect of duty, the governor may remove any member of said board, and any vacancy which may occur in such board, by the death, resignation, removal or disability of any of its members, shall be filled by appointment of the governor for the unexpired term of such vacancy or vacancies, and so that each political party shall always have an equality of representation in the said board, or as near as may be. The governor shall appoint a secretary of such

Secretary: appointment and removal of; his term.

board, who shall be an elector of such city, fully qualified for such place, and who shall hold the same for the term of four years; but he may, for official misconduct, be removed by the board; the governor shall appoint his successors, each for the same term of years, and in case of the death, resignation, or removal of the secretary, shall fill the vacancy for the unexpired part of

His duties.

such term. The secretary shall, subject to the control of the board of elections, keep a full and true record of their proceedings, file and preserve in their office all orders, rules and regulations in anywise pertaining to the administration of registration and elections; prepare and furnish, under the orders of such board, all the registers, books, maps, forms. oaths, certificates, instructions and blanks for the use or guidance of registrars, judges and clerks of elections, and the board of canvassers; provide for timely furnishing of all such officers therewith, and with all the necessary supplies provided for them; to receive and keep close custody of all the registers and copies returned to such office as provided herein, and of all records, papers, and certificates of every kind relating to the office or administration of such board of elections; he shall also have the care of the ballot-boxes while deposited at the office of such board of elections; and he shall perform all such other or further duties pertaining to such office and affairs as shall be prescribed by such board. The board

Office of board.

of elections shall have a sufficient and suitable office and rooms for the purposes herein required which shall be in charge of their secretary, and shall be kept open daily, except Sundays and legal

Oath.

holidays. Each member of the board of elections and the secretary shall, before entering upon the discharge of their office, take and subscribe an oath to support the constitution and the laws of the United States, and the State of Ohio, and faithfully discharge the duties of their office, and to make their utmost endeavors to secure fair and honest elections, which oath shall im-

mediately be filed in the office of the city clerk of such city, and be preserved by him.

Organization of board; its general powers and duties.

SEC. 2926c. The members of the board of elections shall meet within ten days after their appointment, at the mayor's office of such city, and organize by electing one of them president, by ballot. If they fail so to do within fifteen minutes after meeting, the president shall then be chosen by lot. No order, resolution, or action of such board shall be valid without the vote of three of the four members. Such board shall appoint all registrars of elections, judges and clerks of election, and other clerks, officers or agents herein provided for, and designate the ward or precinct in which each shall serve. They shall also appoint the places of registration of electors, and holding elections in each ward or precinct, and hire suitable rooms for such purposes and for their own office, at such rents as they deem just; they shall also provide the necessary and proper furniture and supplies for such rooms, and for the purchase, preservation and repair of all ballot-boxes necessary for use at elections in such city, and all books, blanks and forms necessary for the registrations and elections herein designated, and for duly issuing all notices, advertisements or publications required by law. The board may, from time to time, make and issue all such rules, regulations and instructions, not inconsistent with law, as they shall deem necessary for governing or guiding their secretary and his deputy or assistants, and the registrars of electors and judges and clerks of elections, or other persons under their control in the proper discharge of their respective offices and duties. They shall divide, define and proclaim the election precincts of such city, authorized in section 2926, and the boundaries thereof, and provide for furnishing to each registrar of electors and judges of elections a map and pertinent description of such division and boundaries, and of any changes which, from time to time, are made by them. When necessary they may employ a deputy and one or more clerks as temporary assistants of their secretary, at a salary not to exceed the rate of one hundred dollars per month, and prescribe their duties. The period for which they are employed must always be fixed in the order authorizing their employment, but they may be discharged sooner at the pleasure of the board. Such deputy, secretary, and all such assistants shall take the oath above prescribed.

Appointment of registrars, judges and clerks.

Registration and polling places.

Supplies.

Ballot boxes.

Blanks, etc.

Regulations.

Election precincts.

Maps.

Assistant secretaries.

Salaries and expenses, how paid.

SEC. 2926d. The cost and charge of the salaries of members of such board of elections in any such city, and of the secretary and his deputy and assistants, and all necessary expenses of the board for the purposes herein authorized, and the lawful compensation of all registrars of electors and judges and clerks of elections appointed by such board, and the necessary cost of the registers and poll-books, or other books, blanks, forms, stationery and supplies to be provided by said board of elections for the purposes herein authorized, and the cost of the rent, furnishing and supplies of all rooms hired by the said board for their offices and as places for the registration of electors and holding of elections, and for the purchase, repairs and preservation of the ballot-boxes, shall be borne and paid by any such city out of its general fund upon vouchers of such board, certified by its president and secre-

Vouchers.

tary, specifying in every voucher the actual services, items of supplies, and prices and rates in detail, which shall be allowed by the city comptroller, or city auditor, and upon his warrant, paid by the city treasurer of any such city.

Appointment of registrars, judges and clerks.

SEC. 2926e. On or before the first day of September, annually, the board of elections shall appoint for each and every election precinct in any such city, two electors of such city to act as registrars of the electors, and also as judges of election in such precinct. And on or before the first day of October, in the year eighteen hundred and eighty-six, and every year thereafter, the said board shall appoint two additional judges of elections and two clerks of elections for each and every precinct in any such city. Such registrars, judges and clerks of elections shall each hold their appointment for one year, unless sooner removed by the board of elections, and must be electors of any such city, and able to read and speak the English language understandingly and write it readily and fairly; and each shall take the oath of office hereinbefore prescribed, which may be administered by the secretary or by any member of such board, and shall be filed in the office of such board. All persons selected by said board for either of said appointments shall appear before said board at their office after twenty-four hours' notice, either served personally or left at [their] usual place of residence, for examination as to their qualifications before being appointed; any elector of such city so selected who shall fail to appear before said board as required by law, or any elector of such city so appointed to act as registrar, judge or clerk of election therein, who shall refuse or neglect to serve or to take and subscribe the oath of office, shall, unless for sufficient cause excused by said board, be fined not more than one hundred dollars ($100), or less than twenty-five [dollars] ($25), to be recovered by suit in the name of the president of said board, before any justice of the peace in such city, or he may be imprisoned for fifteen days, or both fined and imprisoned. Neither the two registrars for any precinct, nor the two clerks of election shall be of the same political party. Nor shall more than two of the four judges of election for any precinct be of the same political party. Appointments of such officers for every precinct shall be made so as in good faith to secure equal representation of political parties if practicable. Any vacancy in the office of registrar, or of a judge or clerk of elections, shall be filled by said board of elections, and either or any of such officers may be summarily removed from office by such board at any time for neglect of duty, malfeasance, or misconduct therein. And in all cases the last appointment to either of such offices for any precinct shall be recognized as valid. If any clerk of elections fails to attend at the opening of the polls on the day of any election, or shall, during the election, by any cause become disabled or unfit to act in entering, enumerating or certifying the ballots, the judges of election, or a majority of them, may summarily remove him, and the two judges of the same political party as such clerk shall forthwith appoint another competent elector of any such city to act in his place, and administer to him the oath of office above prescribed; if any judge of election fails to attend at the opening of the polls on the day of the election, or for any cause, by decision of the other three judges, shall

Term and qualifications

Oath.

Examinations.

Neglect to appear, serve, or qualify.

Penalty.

Equal representation of political parties.

Removals and vacancies.

Substituted judges and clerks.

become disabled or unfit to act in receiving and enumerating the ballots and certifying the result of the election, the other judge of the same political party shall at once appoint another competent elector of any such city to act in his place, and administer to him the oath of office above prescribed. Provided, that notice of such appointment of judge or clerk be immediately sent by the judge making such appointment to the board of elections, and such person so appointed shall not perform any of the duties of his office until the notice has been sent to the board. The person so appointed to act temporarily as judge or clerk, shall perform the duties of the office after the sending of said notice, until the board shall confirm said appointment or appoint another for said office. Whoever shall be appointed as registrar, judge or clerk of election by the board of elections, shall receive from the board a certificate of appointment, which may be revoked at any time by the board, said certificate to be in such form as may be prescribed by the board, and to specify the precinct and ward of the city in and for which the person to whom the same is issued is appointed to serve, the date of appointment, and the expiration of his term of office. Registrars, judges and clerks of election during the time they hold such certificate of appointment, and such officers shall be exempt from the performance of military and jury duty. And immediately upon such removal of a clerk or judge, and filling the vacancy as above provided for, a brief note of the proceedings shall be entered in the poll-books and subscribed by the judges so acting, and specially stating the cause of such removal.

Notice of appointment of substitutes.

Certificates of appointment as registrars, judges and clerks.

Exemption from jury and military duty.

Minute of removal.

SEC. 2926*f*. All registrars and judges of elections, while exercising their office under this or any other law regulating elections, shall have full power and authority, and are hereby required to enforce the peace and good order and obedience to their lawful commands for such ends at and about the places of registration and of holding elections. They shall especially keep the access of electors to the polls open and unobstructed, prevent and suppress all riot, violence, tumult and disorder, and also any and all improper practices or attempts tending to obstruct or intimidate electors from a free exercise of their free right to vote, or tending to disturb or interfere with the free and peaceful registration of elector, or counting and certifying the result of an election. They shall also protect the clerks of the election and the witnesses and the challengers designated to attend the election as herein provided for, from any violence, interference or molestation during the receiving and enumeration of the ballots. And they shall at all hazards be bound to preserve and secure the registers, poll-books, ballot-boxes and ballots at every election from violence, fraud or tampering. To enforce the provisions of this section, the officer or authority having command of the police force of any such city, shall promptly, on the requisition of such board of elections, detail for service at the polling place in any precinct of such city, such force as such board may deem necessary, and on every day of elections shall have a special force in readiness for any emergency. During the receiving and counting of the ballots or registering of electors, no person shall congregate or loiter within one hundred feet of the polling place of any election or place of registration of electors, or in any manner hinder or

Powers and duties of registrars and judges as to peace officers.

Preventing violence, and disorder, etc.

Guarding registration and count.

Protecting challengers and clerks.

Securing poll-books, ballots, etc.

Duty of police.

Loitering near polls.

Hindering electors.

Soliciting votes, etc.

Power to require aid.

To order arrests.

Who shall obey and aid them.

Penalty for refusal.

delay any elector in reaching or leaving the place fixed for registration or casting his ballot, or within such distance of one hundred feet to give or tender or exhibit any ballot or ticket to any person other than a judge of election, or to exhibit any ticket or ballot which he intends to cast, or solicit or in any way attempt to influence any elector in casting his vote. In the discharge of their duties, the judges of elections may, if necessary, appoint and require any elector or electors to aid them in making known their orders or directions and in enforcing the peace. The judges of election, or any of them, or any registrar, may order the arrest of any person violating this section, but such arrest shall not prevent such person from voting or registering if he is entitled so to do. The sheriff, and all constables, policemen, and officers of the peace, and all bystanders at any election, shall immediately obey and aid in enforcing any and every lawful order made by the judges at any election in execution of the provisions of this section. Any person willfully refusing or neglecting to perform any of the duties by this section prescribed, shall be fined not less than twenty dollars nor more than one thousand dollars, or imprisoned in the county jail not less than thirty days nor more than one year, or both.

Duplicate "registers of electors."

Contents of ach.

SEC. 2926*g*. On or before the first day of September, annually, the secretary shall, under the direction of the board of elections in any such city, procure and have in readiness at their office, duplicate books for each and every election precinct in such city for the registration of electors therein, and which shall be styled and known as "registers of electors." Each register shall contain space and ruled lines for at least seven hundred names, and be arranged and ruled in parallel columns with printed headings in the following order: Number (consecutively), full name, age, term of residence, nativity, how long resident in precinct, in State, when naturalized, court, married or single, date of registration, sworn, signature, remarks; and the ruling and heading of each page of the register shall be according to the following diagram enlarged:

Heading and ruling.

No.	Full Name.	Age.	Term of Residence.		Nativity	Naturalized.		Married or Not.	Date of Registration.	Sworn.	Signature.	Remarks.
			State.	Precinct.		When.	Court.					

Duty of registrars.

And it shall be the duty of the registrars of each and every precinct in any such city to apply on Wednesday in the fourth week before the November election, annually, at the office of the board of elections, for the duplicate registers aforesaid, and the map of their precinct, and such printed instructions for the discharge of their duties as may be lawfully prescribed by such board.

Days for general registration.

SEC. 2926*h*. The days for the general registration of electors yearly, in the several precincts in every such city, shall be Thursday in the fourth week, Thursday in the third week, Friday and Saturday in the second week next before the day of the general election in November in each year. Between the first day of September and the day preceding the first of the days above prescribed for the general registration, and no longer, the secretary of the board of elections shall act as a registering officer in the following cases only: any person, resident of such city, who will be lawfully entitled to vote therein at the next succeeding election in November, may go before such secretary, at the office of such board, and on making and subscribing an oath or affirmation before him that he will necessarily and unavoidably be absent from such city on all the days appointed or allowed by this section for the general registration of electors by the registrars of the precinct in which he resides, specifying the same, and more than fifty miles distant therefrom, the secretary, if satisfied, shall thereupon file such affidavit, and make registration of such person in the registers of such precinct, on compliance of such applicant with the foregoing requirements of this section for general registration, and his signature to the statement prescribed, and no further registry of such applicant shall be necessary; any elector of such city who is absent therefrom, and without the county in which it is situated, and more than fifty miles distant from such city, may appear before any judge or clerk of any court of record, or notary public, or, if in a foreign country, before any minister, consul or vice-consul of the United States, and make and subscribe an affidavit to his residence, specifying in what precinct, and that he will be necessarily and unavoidably absent from such city on all the days allowed or appointed by this act for the general registration of electors by the registrars in such precinct, and answering and setting forth accurately each and all the matters herein required to be set forth in the registry of electors, and forward such affidavit, duly authenticated as above, by mail, under an envelope addressed to the "secretary of the board of elections" of such city, the same, if received by such secretary between the days above appointed for his acting as registrar, shall entitle such applicant to be entered by the secretary in the proper register of such precinct; and in place of the signature of such elector, the word "affidavit" shall be inserted, and no further registry of such applicant shall be necessary; such affidavit and envelope shall be filed [and] preserved in such office; but no such affidavit shall be allowed by the secretary unless the officer before whom it is made shall certify that the affiant is personally known to him to be the person he represents himself to be, or proven so to be by a credible person known to him, and whose name and full address must be stated in such certificate. Any such affidavit of an ab-

Registration by secretary of persons who will be necessarily absent during registration.

Application for registration by mail to secretary.

Affidavits.

sent elector which shall be received by such secretary on or after the first of the days herein appointed for general registration by the registrars, shall be transmitted by him immediately to the registrars of the proper precinct, and they shall be authorized to register the applicant as above directed, and shall preserve such affidavit; provided, that in any case where application for registration is thus made by affidavits forwarded by mail, if the secretary or registrars, as the case may be, are not satisfied that such applicant is a resident of the precinct so specified, or that he will be entitled to vote on the day of the next election, the word "challenged" shall be entered in the register opposite his name, and in the column for "remarks", and such affidavit and envelope transmitted to the judges of election; and such applicant, if he appear, shall be required to establish his residence and qualification before voting. On the day preceding the first of the days herein appointed for the general registration, the secretary of the board of elections shall, in each and every register in which he has entered any registration of electors, as in this section provided, close the same by drawing double lines across the page with ink, immediately below the last name registered by him, and add the words, "close of registration by the secretary," and shall thereunto subscribe his name and office.

Transmittal of affidavits to registrars.

Entry of "challenged" on register.

Close of registration by secretary.

SEC. 2926*i*. The registrars of electors appointed as herein provided shall, on each of the days appointed for the general registration of electors, meet at the place in each precinct provided by the board of elections for that purpose, and there remain in session from the hour of eight o'clock before noon, until the hour of one o'clock in the afternoon, and from four o'clock in the afternoon until nine o'clock in the evening of each and all the days so appointed for the purpose of registering the electors lawfully resident in such precinct. No person shall be registered as an elector of any such city at any other time or place than those which are in this act herein designated; and in making registrations every applicant shall answer the inquiries of the registrars as follows, the registrars having openly and publicly met at the place and time herein appointed, shall proceed as follows:

Hours for general registration.

Mode of making registration.

1. They shall receive the application for registration of all such male persons, resident in such precinct, as then are, or on the day of election which will next follow such application will be entitled to vote therein, and who shall personally come before them, and such only, and may, and if the right of the applicant to be registered be challenged by any elector shall, administer the following oath, to wit: "You do solemnly swear (or affirm) that you will truly and fully answer all such questions as shall be put to you touching your place of residence, name, age, place of birth, qualifications as an elector, and your right as such to be registered and vote under the laws of this State."

Receipt of applications for registration.

Oath in case of challenge.

2. They shall then examine each applicant as to his residence and qualifications as an elector, and if not satisfied, or if any elector, so demands, shall enter the word "challenged" under the column for "remarks." Unless otherwise herein directed, they shall then, in the presence of the applicant, enter in the registers his answers to their questions pertinent to the heading of each column, in their order. In entering his number, such number

Examination of challenged applicant.

Entries in registers.

shall be filled up consecutively, leaving no blank, and in names they shall include his christian name or names in full as well as his surname. In the column as to "residence," shall be stated the name of the street, avenue, alley, or way in which his dwelling is located, or access to the same usually had, and the number of the house, if it has one. If it has no number, a definite description by which it can easily be found, must in every such case be given and entered. If there be more houses than the one under the number so given, or if there be other families, tenants, or lodgers in that in which the applicant resides, he must specify in which house and on which floor, and whether front or rear of such house, he resides, and the number or location of his tenement. In the [column] as to age, the years and months must be stated, and if the applicant is not at the time twenty-one years of age or more, the words "not of age" must be inserted in the column of remarks. In the column as to "term of residence," the periods of years and months of his residence in the precinct and State must both be stated. In the column as to naturalization, the answer "Yes," or "No," or "native" must be given and stated. If naturalized, the proper certificate or evidence must be produced. The column as to "date of registration" must be filled with the date on which the application was actually registered, and none other.

Signature of applicant.

3. After the answers of the applicants to the questions under the head of each and every column have been properly entered by the registrar in his presence, and not until then, he must enter his signature on the same line, and in both of the registers in the column "signatures." Signatures, when made by a mark,

By mark.

must be attested by at least one subscribing witness, who shall be an elector, and may be examined by the registrars under oath as to his knowledge of the person thus attested, and in such case noted by the registrars on the registers as "sworn" or "affirms," as the case may be.

Comparison of duplicate registers.

4. Each of the registrars shall enter the statement of the applicants in the duplicate register kept by him, and both shall be signed by the applicant. At the close of each day's registration, the registrars shall compare their registers with each other, and correct any discrepancies in form before closing them for the

Close of day's registration.

day. The registrations for the day shall then be ruled off by double lines, to be drawn by the registrars across the page in ink, and immediately under the last name and statement so registered. And the registrars shall make a note in writing under such double line stating "close of the first, second, etc., day's

Attestation.

registration," and attest the same by their signatures in both registers. The registers shall then be deposited by them at the end of each day at the office of the board of elections.

Registers, where deposited.

5. All registers, when not in the official use of the registrars or the judges of the elections, shall at all times be deposited and locked up in the office of the board of elections of such city, [but] subject to be produced for inspection at all proper times.

Who entitled to register.

SEC. 2926*j*. Every male person who is a citizen of the United States, and a lawful resident of this State, and of any such city of the first and second grades of the first class, and who is, or at the next [ensuing] election in such city will be entitled to vote

therein, shall, on application, in the election precinct where he lawfully resides, and complying with the requirements herein, be registered as a resident and elector therein, but not otherwise. But no person shall be entitled to vote at any election in any such city unless he shall establish his residence by causing himself to be registered in the precinct where he shall claim to reside, in the manner and at the time required herein, nor shall any ballot be received by the judges at any election under any pretence whatever, unless the name of the person offering such ballot shall have been entered on both of the registers of the precinct in which he claims to vote, as herein provided. And it shall be the duty of every elector resident in any such city to see that his name has been so registered. But any elector in any such city who is prevented by sickness or physical disability from appearing before the registrars, at the place in his election precinct, on the days for general registration hereby appointed, may apply to such registrars on either of said days by his affidavit, made before any judge or justice of the peace or notary public in such city, and containing a full and proper answer under all the heads or columns required for registration, and transmit the same to such registrars by a credible person, who is an elector of such precinct, and personally cognizant of the sickness and disability of such applicant, and of the facts stated in such affidavit, and who shall be examined by such registrars, under oath, in the premises. And if satisfied that such applicant is a resident of such precinct, and that he is then, or on the day of the next election, will be qualified to vote in such precinct, but not otherwise, such registrars shall enter said applicant as registered, and in the column for signatures enter the word "affidavit," and transmit the affidavit, with the registers, to the judges of election, and such registration shall be sufficient.

Voters required to register.

Registration of persons disabled by sickness, etc

Affidavit.

Entry in register.

SEC. 2926*k*. Any elector who, being the head of a family, and duly registered in the precinct where he then resided, shall remove into another precinct in the same city, may apply in person to the registrars of his previous precinct for a "removal certificate," and the same shall be made and signed by them, certifying his said registration, with all its particulars, as shown on their registers, but adding his statement of the new residence and precinct to which he has removed. They shall then immediately cancel his registration on their registers by drawing double lines in ink through the same, and noting his "removal" and the ward and precinct to which he has removed in the column of "remarks," but such note must be subscribed by such applicant. And when by mistake a qualified elector has caused himself to be registered in a precinct which was not his place of residence, the registrar therein, on full and satisfactory proof that such error was committed by mistake, and without fraud or any unlawful intent, may, on his personal application and proof of his true residence, give him a similar certificate as in case of a removal, and cancel his registration in the same manner on their registers. And the certificates, in case of a removal or mistake so granted, shall, if presented in due time to the registrars of the precinct where such person so certified lawfully resides, and proper proof thereof made to them, shall entitle such persons to be registered

Certificates in case of removal or mistake.

New registration.

Disposition of such certificates.

therein. But in all cases where registration is so granted upon certificates from the registrars of other precincts, or by order of the board of elections as hereinafter provided, such certificates or order must be retained by the registrars to whom it is presented, and filed by them in the office of the board of elections and preserved.

Transfers, when valid.

But no such certificate or transfer shall be allowed or be of any validity unless certified and signed by both of the registrars of the precinct in which the registration was first made.

Annual registration lists.

SEC. 2926*l*. On Monday, in the week preceding the November election, annually, the registrars of each and every precinct of elections shall make out and deliver to the board of elections in such city, at their office, a true list of the names of all the electors registered by them in their respective precincts, arranged in the alphabetical order of their surnames, followed by their full christian names and residences, and having the registry number of each prefixed. This list shall be under the following heading,

Heading.

namely: "List of electors registered in ward ———, precinct ———, of the city of ———, on the ——— days of ———, eighteen hundred and ———. No. ——, ——— name, ——— residence." And the following certificate shall be annexed at the end of the list, and signed by both of the registrars of the several precincts, namely:

Certificate.

"We, the undersigned registrars of electors in ward ——— precinct ——, of the city of ———, in the county of ——, and State of Ohio, do certify that the foregoing list is a true and correct copy of the names, residences, and registry numbers on the registers of said precinct of all persons who have been registered by us as residents, and qualified electors in the said precinct, this —— day of ——— in the year eighteen hundred and ———."

Posting of lists.

And it shall be the duty of the board of elections immediately to cause at least three copies of the list for each and every precinct in such city, respectively, to be printed on broadside sheets of thick paper, and in pica type, two of which lists they shall cause to be securely posted up at the polling place in such precinct, three days or more before the November election annually, and also before every other election.

Bound volume of lists.

The third copy from each precinct shall be retained by the board of elections and annually bound together in a volume and preserved in their office, and they shall cause at least fifty additional copies of such lists, respectively, to be printed in pamphlet form for immediate distribution.

Pamphlets.

Said registrars, after making and returning such lists to the board of elections, shall also make out in books, to be prepared and furnished to them by such board, duplicate lists of all the registered electors in their precinct, arranged alphabetically in the order of their surnames, followed by their full christian names, ages, and residences as registered, and the registry number of each prefixed. The books to be prepared for this purpose shall be ruled in columns, with printed headings, as follows, namely: Registry number ——, name ———, age ——, residence ———, voted ——, remarks. These lists shall be carefully compared by the registrars of each precinct with the registers thereof, and with each other, and then certified by them in

Duplicate registration lists for use at polls.

Comparison.

the form prescribed for the lists returned to the board of elections, and at the opening of the polls at the next succeeding election,

shall be there produced by them for the use of the judges as herein provided.

Meeting for granting or receiving certificates of removal or mistake.

SEC. 2926*m*. On Monday, the day preceding the November election in every year, the registrars of each and every election precinct aforesaid, shall meet at three o'clock in the afternoon, at the polling place appointed for holding elections therein, and there remain in session until six [o'clock] in the evening. At this meeting, and at no other time, they shall receive and act upon any application for either granting or receiving certificates of removal or correction of mistakes as herein provided for; and if any material error or mistake in the description of any elector in such precinct has been discovered, he may appear at this meeting, and on good cause being shown, the registrars may then correct the same. But any change in the registers which shall be allowed by the registrars at such meeting, must immediately be noted by them in the registers and also in the books containing the duplicate lists for the use of the judges as above provided, and if not then and there so noted, shall be wholly null, and disregarded by the judges of election. At this meeting, also, and subject to the same conditions, any qualified elector of such precinct may be registered who shall appear and present an order requiring it, signed by not less than three members of the board of elections; provided, that no such order shall be made or considered by said board of elections, except in a joint session, nor unless the applicant shall appear before them personally after the last day of general registration, and prove to their satisfaction that he could not, by due diligence, have appeared before the registrars in his proper precinct on either of the days appointed herein and shall furthermore comply with all the prescribed requirements for general registration.

Corrections.

Noting of changes.

Registrations by order of board of elections.

Such orders when made.

Meeting on evening prior to election.

SEC. 2926*n*. On Monday, the day preceding the November election in every year, the registrars, as judges of election, and the other two judges of election in each precinct, shall meet at the polling place appointed for holding the election therein at seven o'clock in the evening punctually, and then and there organize as a board by electing one of their number, by ballot, as chairman. If they fail so to elect a chairman within ten minutes, they shall immediately choose a chairman by drawing lots. They shall at this meeting make all necessary arrangements for securing the ballot-boxes and the proper accommodations for themselves and the clerks of elections in receiving and counting ballots at the ensuing election, and also, if requested, for the witnesses and challengers designated by each political party to be admitted within the polling rooms as follows, namely: At every election the executive or principal committee of each political party presenting one or more candidates for suffrage, may, by writing, certified by its chairman and secretary, and presented to the judges of election at or before this meeting, designate not more than three electors of such city as witnesses, and one other elector as a challenger, to attend at such election in behalf of such party. It shall be the duty of the judges of election in each and every ward or election precinct to admit the witnesses and challengers so accredited, into the polling room with themselves and the clerks at the ensuing election, and to place them so near to them-

Organization.

Securing ballot boxes and accommodations, etc.

Witnesses and challengers.

Their admission to polling room.

selves and the clerks, that they can fully and conveniently watch every proceeding of the judges and clerks from the time of opening the polls until the counting, certifying and signing of the final return of such election. Before the opening of the polls the ballot-boxes shall be opened, if requested by either of them, so that the inside and the locks and keys may be inspected by them. No ballot-box, nor any ballot when taken from it for counting, shall be removed or screened from the constant sight of such witnesses or challengers until the counting has been closed and the certificate of the final returns completed and signed by the judges. The challengers so designated shall be so placed that they can fully see and meet each and every person offering a ballot to the judges or either of them. And at such meeting, on the evening of the day preceding an election, any elector may appear and challenge the vote of any person named in the register of such precinct, and the word "challenged" shall immediately be entered by the judges opposite the name of such person on both of the duplicate lists of electors, and if he shall offer to vote at any election, the judges shall, upon such challenge, examine him under oath as to his qualifications as an elector in such precinct.

Inspection of ballot boxes before opening of polls.

Same to be in plain view.

Rights of challengers.

Challenge of lists.

Examination.

Opening and close of polls.

SEC. 2926o. On the day of the November election in every year, and of any other election, the polls in each and every precinct in any city of the first and second grades in the first class shall be opened by the judges of elections appointed and organized as in this act provided, by proclamation made by the chairman, at the hour of six o'clock in the morning; and shall be closed by proclamation at the hour of four o'clock in the afternoon. The registrars, acting as judges, shall, punctually at the hour of opening the polls, attend and produce at the polling place in their several precincts the registers, affidavits of sick or absent electors and accompanying papers, and also the duplicate certified lists of electors prepared by them as herein required. The chairman of the board shall at once designate two members of the board of judges of different political parties, each to hold and to have charge of one of the said duplicate lists. No ballot shall be deposited in the ballot-box until the name of the elector offering it shall first have been stated by him and announced aloud by the judge holding the ballot, nor until it shall have been found on both of such lists, and so announced by both of the judges holding such lists. Every ballot must be put into the ballot-box by the judge who receives it from the elector; and such judge and the ballot-box must always be so placed, and the ballot be so held forth by the judge that it shall be in full view of the elector until actually put into the box. For any willful violation or evasion of this rule by any such judge he shall, at once, be expelled from his office by the other three judges, and the vacancy filled in the manner provided by section 2926e. And immediately upon the depositing of the ballot in the box, each of the said judges shall check off the name of such elector on the duplicate list held by him, by placing a "v" distinctly, with ink in the column under the word "voted," and in the line with the elector's name; provided, that it shall be unlawful for any judges or clerks of election, or of any of the witnesses or

Duty of registrars.

Duty of chairman.

Finding of names in lists.

Location of ballot-box.

Penalty for switching ballots, etc.

Names to be checked off.

challengers admitted into the polling rooms at an election, at any time, while the polls are open, to have in his possession or to distribute or give out any ballot or ticket to any person on any pretense, nor during the counting or certifying of the votes to have any ballot or ticket in his possession or control, except in the proper discharge of his duty in receiving, counting or canvassing the votes as required by law; but this prohibition shall not extend to the lawful exercise by any judge or clerk of elections, or witness, or challenger aforesaid, of his individual right to vote at such election. Any registered elector, when offering to vote, may, nevertheless, be challenged by any elector as a non-resident or for any of the causes allowed by law, and he shall be sworn and the same proceeding thereupon had as in other cases. In all cases of challenge the judges holding the duplicate lists as aforesaid shall note the word "sworn" opposite the name of the person challenged. And, except as otherwise required herein the judges of elections appointed as herein provided, shall have the same powers and discharge all the duties conferred or required by the general laws of the State regulating elections. But, except where some authority or duty is herein allotted to one of said judges, no order or action on their part shall be of any validity without the concurrence of three members of said board of judges in any precinct.

Having possession, etc., of tickets by judges, clerks, etc.

Challenges.

Powers and duties of judges.

Order or action judges.

SEC. 2926*p*. Immediately upon the close of the polls at any and every election in such cities, the number of electors entered and shown on the poll-books as having voted, shall be first certified therein and signed by the board of judges and the clerks; and before any other or further proceeding the chairman of the board shall make a proclamation in a loud voice in the street outside of the polling room, stating the number of voters so shown and certified on the poll-books. The number of electors who shall have been checked on each of the duplicate lists as having voted, shall next be counted and compared each with the other, and with the number so shown in the poll-books, and the result shall be at once certified in the poll-book and signed by the judges. And in counting those who are checked, the word "no" shall at the same time be entered in ink in the same column opposite the name of each and every elector who is not so checked off. In all cases of disagreement or doubt on any question during the election or counting, the judges may refer to the original registers, and they shall be conclusive when relevant. The ballot-box shall then, without any adjournment or delay be opened, and without opening any ballot or ascertaining its contents, the number of ballots shall first be counted. If the number of ballots exceeds the number of names on the poll-books, the ballots shall be replaced in the box, and one of the judges shall, with his back to the box and without seeing it, draw out, without showing them, and destroy a number of ballots equal to the excess. And, if during the counting of the ballots or at the conclusion of the counting, an excess of ballots be discovered, all the ballots shall be returned to the box, and after being thoroughly mingled the excess shall, in the manner directed above, be drawn out and destroyed, and the count corrected accordingly. In all cases where ballots have thus been drawn out and destroyed, a minute

Certificate and proclamation of total vote cast.

Electors checked on duplicate lists.

Questions of doubt.

Opening of ballot-box; counting of ballots.

Excess of ballots to be destroyed.

Minute of destroyed ballots.

Completion of count.

of the number destroyed and the reason, shall be made on the tally sheet. The count shall then commence and proceed without interruption or delay, and in no case shall cease until it is completed, proclaimed, and the final result certified as herein required. As soon as the ballots have been counted and tallied, and the clerks have estimated the number tallied for each candidate, the chairman of the board shall make a second proclamation in the same manner as the first, stating the whole number of votes cast, and the number counted and tallied for each candidate; and this proclamation shall be prima facie proof of the result. The judges and clerks in every precinct shall at the same time make out and certify a summary statement of the number of votes cast therein, and the number counted and tallied for each candidate as announced in the proclamation, and despatch the same without delay by a special messenger, and in a sealed envelope to the board of elections at their office. The judges of election shall also as soon, as the result has been proclaimed, announce it to the board of elections from the nearest police station, or from a telegraph or telephone station if nearest to them. At the request of any of the persons designated to witness the counting of the ballots, the judges and clerks of election shall also sign and deliver to him a certificate containing the same statements as required to be made to the board of elections. After completing the counting and enumeration of the ballots, and proclaiming and issuing the statements of the result, as hereinbefore directed, the number of votes for each person shall be set down in the poll-books, under the inspection of the judges and certified and signed by them in manner and form as prescribed in, and by sections 2922 to 2966 inclusive, chapter two of title fourteen in the first part of the Revised Statutes. In all certificates the number of votes shall be fully written out in words, and also stated in figures.

Proclamation of result.

Certificate of result for board of elections.

Duty of judges.

Abstracting result.

Signing of poll-books.

Numbers, how expressed.

Session of board of elections on day of election.

SEC. 2926*q*. The board of elections shall convene in session at their office at six o'clock a. m. on the day of every election in such cities, and remain in session continuously until the statements giving the result of the election, as required above, shall have been received, from every precinct in such city. The board shall have power to employ messengers, to use the telephone and telegraph, direct the police force of the city, and use [any] other lawful means to secure prompt and correct reports from the election judges, as above required. The police authorities shall assign at least one policeman to duty in each precinct on every day of an election.

Reports of election.

Assignment of police.

Disposition of poll-books.

SEC. 2926*r*. The judges of elections, after having set down the number of votes for each person, and certified and signed the same in the poll-books in the manner prescribed by law, shall put under cover one of the poll-books, seal the same, and direct it to the "county board of canvassers;" the other poll-book shall be sealed in like manner, and directed to the board of elections of such city; they shall then destroy all the ballots so counted or found in the ballot-box by burning the same completely; the judges, before separating, shall designate two of their number as messengers (by lot if they can[not] agree), one of whom shall personally and within twenty hours from the close of the polls, deliver to the clerk of the court of common pleas the poll-book so

Ballots to be burned.

addressed to the "county board of canvassers," and the other, shall personally and within twenty hours, as above, deliver the other poll-book to the board of elections at their office; the chairman of the board of elections shall safely return the registers, the duplicate lists made therefrom, the ballot-boxes and keys thereof, and all affidavits or papers accompanying them to the board of elections or the secretary, at their office within twenty hours; and the judges and clerks of elections shall not adjourn, disperse, nor cease from proceeding as hereinbefore required, until all the said requirements have been actually executed and completed in manner and form as prescribed by law.

Return of registers, etc.

Completion of work without adjournment.

SEC. 2926s. The county board of canvassers, on demand of any candidate, shall compare the returns as received by the clerk from the precincts in any city of the first and second grades in the first class, with the certified statement sent by the judges of election to the city board of elections as herein required, and if found to disagree, the number certified in the statement last mentioned shall be taken as correct and counted, unless proof of the returns received by the clerk, satisfactory to the board of canvassers, shall be made by [the] judges, clerks and witnesses of the counting. And for the purpose of adjusting such discrepancy, and determining the true result of the election, the board of canvassers shall also summon witnesses and examine them under oath, as to the proceedings and proclamations at such election in any precinct, and may also view and consider as part of the record, the poll-books, registers, and duplicate lists made therefrom, and deposited as herein provided; but such inquiry shall be limited exclusively to determining which shall be adopted, namely: the returns as received by the clerk, or the certified statement as received by the board of elections, as proof of the true vote at the close of the polls in any precinct.

Adjustment of discrepancies between returns to clerk and that received by board of elections.

SEC. 2926t. Each member of the board of elections appointed under this act, in cities of the first grade in the first class, shall be allowed and paid a salary of one thousand dollars ($1,000) per annum, and in cities of the second grade in the first class, a salary of six hundred dollars ($600) per annum, payable quarterly. The secretary of the board of elections in cities of the first grade in the first class, shall be allowed and paid a salary of two thousand and four hundred dollars ($2,400) per annum, in monthly payments, and in cities of the second grade in the first class his compensation shall be fixed by the board. The registrars of each election precinct shall be allowed and paid three dollars per day, and no more, nor for more than six days in any one election, for their services as registrars. The judges of election, including the registrars as such, and the clerks of elections so appointed, shall, each of them, be allowed and paid five dollars for each election at which they serve, and no more, either from the city or county. But no registrar, judge, or clerk shall be entitled to the compensation so fixed except upon the allowance and order of the board of elections, made at a joint session, certifying that each has fully performed his duty according to law as such, and stating the number of days' service actually performed by each, and signed by the president and secretary of the board to the city comptroller or city auditor of such city.

Salaries of members of board of elections.

Salary of secretary.

Compensation of registrars, judges, and clerks.

Allowance.

Removal of secretary and members of board.

SEC. 2926*u*. Any member of the board of elections and the secretary of the board may, for any violation or neglect of the duties prescribed herein, or other official misconduct, be removed at any time by the governor of the State, and he shall fill the vacancy as provided in section 2926*b*.

April and other elections.

SEC. 2926*v*. The preceding provisions shall extend to the April election, or any other public election authorized by law to be held in any city of the first and second grades of the first class, as follows:

Registration for such elections.

1. There shall be no general registration, as provided in sections 2926*h* and 2926*i*, except that on Friday and Saturday in the second week before any such election, the registrars for each precinct shall obtain the last preceding registers made by them from the board of elections, and attend at the place in such precinct appointed for the registration of electors, between the hours herein directed for the purpose, and receive applications for registration by such qualified electors residing therein as are not already registered, and if qualified, shall enter the same in the registers, subject to the same rules and conditions as herein prescribed as to general registration; and on such days shall also perform the same duties as prescribed in section 2926*m*. And any additions or changes then entered by them in their registers shall also be made in the duplicate lists of voters, which, after being carefully compared with the registers and [with] each other, shall be produced by them, together with the registers of such precinct, at the opening of the polls on the day of election, and then be used, applied and disposed of by the judges in all respects as directed in section 2926*o*.

Changes in and additions to registers.

Organization of board of judges.

2. At seven o'clock in the evening of the Saturday next preceding any such election, the registrars for each and every precinct and the other two judges of election shall meet at the polling place therein appointed for such election and shall then and there organize as a board of judges and perform the other duties prescribed in section 2926*n*, and in the manner therein directed.

Poll-books.

3. The poll-book required by section 2926*q*, to be delivered by the judges of election to the clerk of the court of common pleas, shall be addressed by them to the "board of canvassers" of such city, and not of the county, and delivered to the city clerk of such city, and not to the clerk of [the court of] common pleas.

Board of canvassers.

4. The board of canvassers of elections in each such city shall be composed of the said board of elections and of the city clerk of such city. Within four days after the April election in such city, every year, or after any special election, the said "board of canvassers" shall meet at the office of the city clerk of such city, at ten o'clock in the forenoon at the call of the chairman of the said board of elections, and organize by electing a chairman and a secretary; the returns received by the city clerk shall then be produced by him and opened and canvassed by the board of canvassers as prescribed in section 2926*r*, and by law.

Organization and canvass of returns.

Permitting false registration.

SEC. 2926*w*. 1. Any registrar of electors, or other registering officer, who falsely or fraudulently enters or consents to the entry in any register or duplicate list of the electors in any precinct, of the name of any person whom he knows or has good reason to believe is not a resident or qualified voter in such pre-

cinct, or who on request, refuses, neglects or hinders the registration of any person who is a resident and qualified voter in such precinct, and offers to comply with the requirements of the law for that purpose, shall be fined not less than fifty dollars nor more than five hundred dollars, and imprisoned not less than thirty days nor more than six months, or both.

Refusing registration.

Penalty.

2. Whoever by any gift, promise or offer, or by coercion, intimidation, or other unlawful means, induces or influences, or attempts to induce or influence any registrar of electors or other registering officer, to enter in the register or duplicate list of electors in any precinct, the name of any person, real or fictitious, living or dead, who is not a resident or qualified elector therein, or who shall fraudulently induce any registrar or registering officer to refuse registration in a precinct to any person lawfully entitled to be registered as an elector therein, or unlawfully prevent, hinder or delay any registrar or registering officer from registering any person lawfully entitled to be registered, or to induce or influence such registrar or registering officer to violate or refuse or neglect the execution of any rule or duty touching his office and prescribed by law, shall be imprisoned in the penitentiary not less than one year nor more than three years.

Inducing same.

Inducing neglect of duty.

Penalty.

3. Whoever falsely and fraudulently obtains or attempts to obtain registration, as an elector, in any precinct in which he is not a resident and qualified elector, shall be imprisoned in the penitentiary not less than one year nor more than three years.

False registration.

Penalty.

4. Whoever fraudulently induces or attempts to induce, aid or abet any person to obtain or apply for registration as an elector in any precinct where such person is not a resident and qualified elector, shall be imprisoned in the penitentiary not less than one year nor more than three years.

Inducing same.

Penalty.

5. Whoever falsely personates, or assumes the name of any other person, real or fictitious, living or dead, in obtaining or attempting to obtain registration in such assumed name as an elector in any precinct, or falsely obtains or applies for registration as an elector in any name other than his own, or fraudulently aids or abets any other person in committing or attempting to commit either of said offenses, shall be imprisoned in the penitentiary not less than two years nor more than five years.

Obtaining registration by personating another.

Penalty.

6. Whoever fraudulently or by any unlawful means prevents, hinders or delays, or attempts to prevent, hinder or delay any elector from applying for registration as an elector in the precinct where such elector resides and is entitled to vote, with intent to deprive such elector of his right to vote, shall be imprisoned in the county jail not less than thirty days nor more than six months, and fined not less than fifty dollars nor more than five hundred dollars.

Hindering registration.

Penalty.

7. Whoever by any false statement or other unlawful means, procures, or aids or attempts to procure the erasure or striking out of the register or duplicate list in any precinct of the name of any elector who is a resident and qualified elector therein, shall be imprisoned in the penitentiary not less than one year nor more than three years.

Procuring unlawful erasure in registration lists.

Penalty.

8. Any judge or clerk of election, witness, challenger, or other person whatever, who is admitted into the polling room

Distributing ballots inside of polling room.

at any election, and who at any time from the opening of the polls until the ballots are finally counted and certified, and while in said room distributes or gives out to any person, on any pretense, or brings into said room, or has in his possession or control any ballot or ticket except that which he shall offer to the judges as his own vote if an elector, shall be fined not less than twenty-five dollars nor more than five hundred dollars, or imprisoned in the county jail not less than thirty days nor more than one year.

Penalty.

Permitting ballots in box at opening of polls, etc.

9. Any judge of election who shall permit any ballot or ticket to remain or be in the ballot box at the opening of the polls, or be put into the ballot box at any time during the receiving, counting, and certifying the ballots, except when lawfully presented by an elector in the course of an election, shall be imprisoned in the penitentiary not less than two years nor more than five years.

Penalty.

Perjury.

10. Whoever shall be guilty of willful and corrupt false swearing or affirmation, upon any examination, by or before any registrar or registering officer authorized by this act, shall be guilty of perjury, and imprisoned in the penitentiary not less than one year nor more than five years.

Penalty.

Neglect of duty by officers of election.

11. Any member of the board of elections or secretary thereof, or any registrar of electors, or judge or clerk of elections in any city of the first and second grades and first class who shall willfully refuse and neglect to execute and perform any duty prescribed by this act to be done or performed by him, shall be fined in any sum not less than fifty dollars nor more than five hundred dollars, to be recovered in the name and behalf of such city, or imprisoned in the county jail not less than thirty days nor more than one year, or both, in the discretion of the court.

Penalty.

Counterfeiting registration certificates, etc.

12. Whoever makes, issues, utters or publishes any false or counterfeit certificate of registration authorized by this act to be granted by registrars of electors and boards of election, or fraudulently alters any such certificate granted by any of said officers, or who makes, issues, utters or publishes any false certificate, statement or proclamation of the result of an election, knowing such certificate, statement or proclamation to be false, or who willfully destroys, defaces or conceals any certificate or statement of the result of an election, entrusted to him or his care for delivery, shall be imprisoned in the penitentiary not less than two years nor more than five years.

Penalty.

Acting as registrar, judge or clerk without certificate of appointment.

[13.] Every person who may act as registrar, judge or clerk of election without having received his certificate of appointment from the board of elections, except the judges and clerks appointed in the manner herein provided in section 2926*e*, by the judges to fill [a] vacancy caused by absence or removal, and every such person so appointed by the judges who shall act without notice thereof having been sent to the board of elections, and the judges who may make such appointment and neglect and fail to send notice thereof to the board of elections, and every person to whom such notice for the board may be given for delivery to the board who shall neglect or fail to deliver the same as promptly as possible, shall be guilty of a misdemeanor, and shall be fined not more than one hundred dollars or less than twenty-five dollars or imprisoned thirty days, or both fined and imprisoned.

Acting as substitute judge without notice, etc.

Neglect to forward notice, etc.

Penalty.

SECTION 2. The said act to amend and supplement section 2926 of the Revised Statutes, passed May 4, 1885; and also so much or such part of sections 2928, 2929 and 2933, and of any other section in said chapter two of title fourteen, in part first of the Revised Statutes, or of any act heretofore passed which related to elections in cities of the first and second grades in the first class, and conflicting with any provision in this act, are hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from the time of its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 650.]

AN ACT

To amend sections 1, 2 and 11 of an act passed March 24, 1884, (O. L., 81, pp. 73 and 76); and section 12 of an act passed February 27, 1885, (O. L., 82, p. 61).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 1, 2 and 11 of an act passed March 24, 1884, (O. L., 81, pp. 73 and 76); and section 12 of an act passed February 27, 1885, (O. L., 82, p. 61), be so amended as to read as follows: Ohio penitentiary:

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the government and control of the Ohio penitentiary and [of] the prisoners sentenced thereto shall be vested in a board of managers, to consist of five members, at least two of whom shall be practical and skilled mechanics, and not more than three members of said board shall belong to the same political party; to be appointed by the governor, by and with the advice and consent of the senate, one to serve one year, one two years, one three years, one four years, and one five years, as may be designated by the governor at the time of their appointment; and at the expiration of the term of office of each member of the board, his successor shall be appointed in the manner and by the authority as hereinbefore provided, but for the term of five years. Whenever a vacancy occurs in the board of managers otherwise than by the expiration of the term of a manager, such vacancy shall be filled by appointment by the governor, by and with the advice and consent of the senate, if the senate be in session, and if the senate be not in session, then the appointment by the governor shall be subject to the confirmation of the senate when it next convenes, for such term to be designated by the governor at the time of appointment, as shall preserve and insure the rotation in office of the managers the same as if one manager should be appointed every year, at the expiration of a manager's term, for the term of

Board of managers.

Appointment of members.

Terms.

Vacancies.

Removals.

five years; provided, that the governor may, at his discretion, remove any member of the board of managers.

Organization.

SEC. 2. Immediately upon their appointment and confirmation, as herein provided, the board of managers shall convene in the city of Columbus. The president of the board shall be the member having the shortest term to serve; three members of the board of managers shall constitute a quorum for organization of the board and for the transaction of all business. The managers shall give so much of their time and attention to the affairs of the penitentiary as shall insure wise, efficient and faithful management thereof; and the managers shall receive compensation as now provided by law, (O. L., vol. 82, p. 244, act [of] May 4, 1885), and shall be paid by the treasurer of state upon warrants issued by the auditor of state. The managers shall examine the books and accounts of the penitentiary as kept by the officers thereof, once in each month, and shall audit all claims against the penitentiary, and shall file with the auditor of state a monthly statement of all the financial transactions of the penitentiary, showing in detail all moneys received and paid out, from whom received and to whom paid, which statements shall be open to public inspection, and a summary thereof shall be published in the annual reports. And, generally, the board of managers shall have charge of all the concerns of the penitentiary, and shall make an annual report to the governor on or before the fifteenth day of November each year, and in their annual report, the board shall give a classification of all the prisoners, showing their ages, term of sentence, offense committed, cause of crime, number of times convicted, habits, education and industrial relations, (which shall be entered in the register as hereafter provided), and such other information and recommendations as they deem best for the information of the legislature. The board shall prepare rules for its own government, and for the government of the penitentiary in accordance with the provisions of this act and subject to the approval of the governor.

Duties.

Compensation.

Examination of books, etc.

Monthly statements.

Annual report.

Rules.

Warden: his appointment and qualifications.

SEC. 11. The board of managers shall at their first meeting after the passage of this act appoint as warden a person who, from practical experience, possesses the ability and qualifications necessary to successfully carry on the industries of the penitentiary, and who possesses the executive ability essential to the proper management of the officers and other employes under his jurisdiction, and to enforce and maintain proper discipline in every department; said warden shall hold his office for two years unless sooner removed for cause.

Term.

Warden to appoint officers and employes; salaries.

SEC. 12. It shall be the duty of the warden, with the advice and consent of the board of managers, to appoint the following named officers, whose compensation shall be as follows: deputy warden, twelve hundred dollars per year; the clerk, ten hundred dollars per year; secretary of the board, not to exceed fifteen hundred dollars per year; the assistant clerk, at the discretion of the board, not exceeding ten hundred dollars a year; the steward, twelve hundred dollars a year; the physician, ten hundred dollars a year; the assistant deputy warden, at ten hundred dollars a year; the superintendents of the yard, kitchen, state shops and hospital, and officers in charge of the guard-room, not to exceed

seventy-five dollars each, a calendar month; the male guards, sixty-five, and the female guards, fifty dollars, each calendar month; provided, each guard shall be allowed not to exceed fourteen days' vacation each year without reduction of pay; superintendents of the different industrial departments may be appointed when necessary to do so, at a salary not to exceed twelve hundred dollars each per year; and the warden may also appoint, as hereinbefore provided, such other officers and employes as may be necessary to carry on the educational, moral and religious features of the institution, each of whom shall receive not to exceed seven hundred and eighty dollars a year. The appointees herein provided for shall be selected for their fitness and qualifications for the positions to which they may be appointed or employed, and shall hold their offices or places for two years or unless [sooner] removed for cause by the warden; provided, further, that one guard, or one of the minor officers shall be appointed from each county until the necessary number is secured. All the appointees herein provided for shall be paid monthly out of the state treasury, on the warrant of the state auditor.

Vacation of guards.

Removals.

Guard from each county.

Salaries payable monthly.

SECTION 2. That sections 1, 2 and 11 of an act passed March 24, 1884, (O. L., 81, pp. 73 and 76), and section 12 of an act passed February 27, 1885, (O. L., 82, p. 61), be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[Senate Bill No. 260.]

AN ACT

To amend section 2807 of the Revised Statutes of Ohio, as amended March 9, 1883, (80 O. L. 54), and supplementary to section 1038 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2807 of the Revised Statutes of Ohio, as amended March 9, 1883, (80 O. L., page 54), be amended so as to read as follows:

SEC. 2807. The said boards shall hear complaints and equalize the assessments of all personal property, moneys and credits, new entries and new structures returned for the current year, by the township assessors and county auditors; and they shall have power to add to, or deduct from the valuation of personal property, or moneys or credits, of any person returned by the assessor or county auditor, or which may have been omitted by them, or to add other items upon such evidence as shall be

Equalizing of assessments.

satisfactory to the said boards, whether said return be made upon oath of each person or upon the valuation of the assessor or county auditor, but when any addition shall be ordered to be made to any list returned under oath, a statement of the facts on which such addition was made shall be entered on the journal of the boards, and when any reduction shall be ordered to be made in the amount of personal property, or moneys and credits of any person, whether such return be made by such person or by the assessor or county auditor, a statement of the facts on which such reduction was made shall be entered on the journal of the boards. And such boards shall have power, whenever it is made to appear to their satisfaction that any personal property returned by the township assessors or county auditors, for the current year, has been destroyed by fire, flood, tornado or otherwise, after the second Monday in April and before the final adjournment of said boards, to deduct from the valuation of the personal property or moneys or credits of the owner of such destroyed property so returned, the value of the personal property so destroyed.

Deduction for destroyed personal property.

SECTION 2. That section 1038 of the Revised Statutes of Ohio be supplemented by the addition of the following:

SEC. 1038*a*. The county auditor shall, whenever after the second Monday in April, and before the first day of October in any year, it is made to appear by the oath of the owner, or one of the owners of any building or structure, and by the affidavit of two disinterested persons, resident of the city or township in which such building or structure is, or was situate, that such building or structure has been injured or destroyed by fire, flood, tornado or otherwise, since the second Monday in April of the current year, deduct from the tax list and duplicate, the value of such buildings or structures, or such part of the value thereof as shall correspond to the extent of such injury.

Deductions from tax list and duplicate for destroyed and injured buildings.

SECTION 3. Said section 2807 is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 316.]

AN ACT

To provide for the relief of indigent Union soldiers, sailors and marines and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of the several counties of this [State] are hereby authorized to levy, in addition to the taxes now authorized to be levied by law, a tax not exceed-

Fund for relief of indigent soldiers, etc.

ing one-tenth of one mill upon the taxable property of their respective counties, to be levied and collected as now provided by law for the assessment and collection of taxes, for the purpose of creating a fund for the relief of indigent Union soldiers, sailors and marines, and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors or marines, to be disbursed as hereinafter provided.

Reports of township trustees to commissioners.

SECTION 2. It is hereby made the duty of the board of trustees of the several townships in this State to make a written report to the county commissioners of their respective counties, on or before the first Monday of June in each year, containing a list of the names of all the resident indigent Union soldiers, sailors and marines, or the indigent wives, widows or minor children of the same, requiring aid and entitled to relief under the provisions of this law, and the probable amount necessary for that purpose for the ensuing year. And at their June session the county commissioners of the several counties shall make such levies as may be necessary to raise the required relief.

"Soldiers Relief Commission."

SECTION 3. The judge of the court of common pleas in each county of this State in which the township trustees have made return of indigent soldiers, sailors or marines, or indigent wives, widows or orphan children as provided in section 2 of this act, shall, on or before the first Monday of October after such report is made, appoint three persons, residents of such county, at least two of whom shall be honorably discharged Union soldiers, one to serve three years, one to serve two years, one to serve one year from date of appointment, and each year thereafter one person to serve for three years Such persons so appointed, when organized by the selection of one of their number as chairman, and one as secretary, shall be designated and known as "The Soldiers' Relief Commission."

Duties of commission.

SECTION 4. The Soldiers' Relief Commission shall meet at the office of the county commissioners on or before the first Monday of December in each year, and at such other times as may be necessary, and carefully examine the lists of those reported as needing aid under the provisions of this act, and being satisfied that those [so] reported are in need of assistance and entitled thereto under the provisions of this act, shall fix the amount to be paid in each case to person or family. Said commission may also furnish relief to any indigent soldier, sailor or marine, or indigent wife, widow or minor child of the same, living within the county whose name may not be found on said lists, whose right to such relief under this act shall be established to the satisfaction of such commission, and a list of all such persons as are thus found to be entitled to relief shall be made out by the secretary of the commission, giving the name, place of residence and amount to be paid per month in each case, provided the amount disbursed shall not exceed the tax collected, and such list shall be signed by the president and secretary of the commission and deposited with the auditor of the county. Whereupon the auditor, on the first day of each month, shall issue his warrant upon the treasurer of the county for the sum designated in each case and deliver the same to the person entitled thereto, taking receipts therefor.

Expenses of commission.

SECTION 5. The county commissioners shall allow the persons composing the commission, provided for in section 3 of this act, their actual expenses incurred in the performance of their duties, on the presentation of an itemized statement to the county auditor, who shall issue his warrant on the county treasurer.

SECTION 6. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 421.]

AN ACT

To amend sections 1042 and 2805, as amended April 12, 1880, April 18, 1881, and April 5, 1882; 2805*a*, as amended April 18, 1881, and 2863 of the Revised Statutes of Ohio.

Taxation.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1042 and 2805, as amended April 12, 1880, April 18, 1881, and April 5, 1882; 2805*a*, as amended April 18, 1881, and 2863 of the Revised Statutes of Ohio, be amended so as to read as follows:

Delivery to treasurer of duplicates by auditor.

SEC. 1042. The auditor shall annually, on or before the first day of October, except in counties having cities of the second grade of the first class, when the time shall be on or before the first day of November, deliver to the county treasurer a true copy or duplicate of the book containing the tax list required to be made by him for the year.

Annual city board of equalization: how constituted and organized.

SEC. 2805. In each city of the first and second class there shall be an annual board for the equalization of the value of real and personal property, moneys or credits in such city, to be composed of the county auditor and six citizens of such city, appointed by the council thereof; the first appointments to be, two for one year, two for two years, and two for three years, except in cities in which such boards are already organized, where two shall be appointed for three years, and two thereafter shall be annually appointed for three years, and all vacancies shall be filled for the unexpired term; provided, that the provisions of this act shall not affect any person or persons heretofore appointed and now in office, during the time for which they shall have been appointed; said board shall be governed by the rules, provisions and limitations prescribed in the next preceding section for the annual county board; each member of said board is authorized to administer oaths, and said board is empowered to equalize the value of real and personal property, moneys, and credits within such city, and shall annually meet at the office of the county auditor on the fourth Monday of May, except in cities of the first

Rules governing.

Powers.

Sessions.

and second grade of the first class, when it shall meet on the fourth Monday in May and shall close its session on or before the second Monday of September; except that in cities of the first grade of the first class, said board shall, in the year 1886, meet on the third Monday of June, and shall close its session on or before the first Monday of September; in cities of the third grade of the first class, and cities of the first and second grades of the second class, and cities having a population of twenty thousand and over by the last federal census, and which have not been by ordinance advanced to a city of the second grade, second class, said board shall close its session on or before the first Monday of August, and in cities of the third and fourth grades of the second class, said board shall close its session on or before the fourth Monday in June, then next following; for each day necessarily employed in the performance of their duties the members of said board shall each receive in cities of the first class and in the first and second grades of the second class, and in cities having a population of twenty thousand and over, ascertained as aforesaid, and which have not been advanced to a city of the second grade, second class, the sum of five dollars per day; and in cities of the third and fourth grades of the second class, the sum of three dollars per day; and in cities of the first class, first grade, the auditor shall receive no compensation as a member of the board, but the board may appoint all necessary messengers and clerks, not exceeding six of each, who shall receive three dollars per day for their services for the time actually employed, which shall be paid out of the county treasury.

Compensation.

Cleveland.

SEC. 2805*a*. And in each city of the second grade, class first, the county auditor may, whenever he may deem it necessary to, call together the annual city board of equalization on the first Monday of December of each year. and the said board when so called together, shall sit as a board of revision of such acts done by it as a board of equalization at the previous meeting thereof, as the county auditor may present to it for its revision. But before acting as a board of revision, the members thereof shall be sworn, by a competent officer, to a faithful discharge of their duties as such board, and any refunder, abatement, or change of value, which said board of revision may recommend to be made, shall be deemed and held in a case of refunder or abatement, to be sufficient authority for the county auditor to issue his order of refunder or abatement, on the county treasurer, and in case of change of value, such recommendation of change by said board shall be deemed and held sufficient authority for said officer to enter the same in his book of additions and deductions, and all acts of the said board of revision shall be subject to an appeal, through the county auditor, to the auditor of state; said board of revision shall have power to administer any oath which it may deem necessary to the proper discharge of its duties; it shall not continue in session for a longer time than four weeks. Public notice shall be given by the county auditor of each meeting of said board, and its members shall be paid the same amount per day, as when sitting as a board of equalization.

Abstract of duplicate, etc., to be transmitted to auditor of state.

SEC. 2863. The county auditor, on or before the first day of October, except in counties having cities of the second grade of

the first class, when it shall be on or before the tenth day of November, annually, shall make out and transmit by mail, to the auditor of state, a complete abstract of the duplicate of his county, which shall state the aggregate value of the taxable property, and the total amount of taxes for all purposes assessed thereon for that year; he shall, at the same time, also make out and transmit to the auditor of state, an abstract of the number and value of each of the enumerated articles, the value of merchants' and manufacturers' stocks, and the value of all other personal property, moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise, and the value of all other articles of personal property, as returned by the township assessors, or as fixed by the county board of equalization; said abstracts shall be made out in such form, and the statement shall contain such details as the auditor of state shall prescribe.

Abstract of personal property.

SECTION 2. Sections 1042, 2805, 2805a and 2863 of the Revised Statutes of Ohio are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 569.]

AN ACT

To amend section 6351 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6351 as amended January 30, 1885, (82 v. 14), be so amended as to read as follows:

Assignments.

Payment of liens, etc.

SEC. 6351. The probate court shall order the payment of all incumbrances and liens upon any of the property sold, or rights and credits collected, out of the proceeds thereof, according to priority; provided, that the assignee may, in all cases, where the real estate to be sold, or which may have been contracted to be sold by the assignor prior to the assignment, is incumbered with liens, or where any questions in regard to the title, or the dower estate of the wife or widow of the assignor, require a decree to settle the same, commence a civil action therefor in the common pleas court or probate court of the proper county, making all persons in interest, including the wife or widow of the assignor, parties to such proceedings; and upon hearing, the court shall order a sale of the premises, or the completion of the contracts of sale so made by the assignor, the payment of incumbrances and the contingent dower interest of the wife or widow, subject to the proviso hereinafter contained, and determine the question involved in regard to the title of the same; and the proceeds of the real estate so sold, after

Questions of title, dower, etc.

the payment of liens and incumbrances, and the contingent dower rights and interest of such wife or widow, as ordered by such court, shall be reported to the probate court by the assignee, and disposed of as provided in this chapter; provided, that the provisions of section 6350, in relation to the wife of the assignor as a party to proceedings thereunder, and her rights by virtue thereof, and also the provisions of such section as to ordering property sold at private sale, and upon terms of credit, shall apply to proceeding under this section; but nothing in this section nor in section 6350 shall be so construed as in any way to impair the right of homestead exemptions, or the right of an allowance in lieu of homestead, or the mode provided by law for enforcing such rights. Sec. 6050. Homesteads

SECTION 2. That section 6351, as amended January 30, 1885, (82 v. 14), is repealed.

SECTION 3. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 606.]

AN ACT

To amend sections [1879], 1881, 1892 and 1895 of the Revised Statutes, as amended March 30, 1886, (83 v. 47).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections [1879], 1881, 1892 and 1895 of the Revised Statutes, as amended March 30, 1886, (83 v. 47), be amended so as to read as follows: Cincinnati police.

SEC. 1879. The police force shall be composed of a superintendent of police and inspector of police, whose duty it shall be to act under the directions of the superintendent, as his deputy or assistant, and perform such other service as may be required of him by the mayor or superintendent; so many lieutenants of police as may be necessary, not to exceed twenty; one superintendent of patrol, with rank and pay of lieutenant; so many clerks, police court officers and station-house keepers as may be necessary; and so many watchmen or patrolmen as may be proper, not to exceed four hundred, not including mounted police and one surgeon of police. Force, how constituted and officered

SEC. 1881. All appointments in the police force shall continue during good behavior. Members and officers of the police force, as herein constituted, may be nominated by the mayor from the present force in said city, or from other electors of the city. The police force, as now existing and organized, shall continue under the control and management of the mayor until new appointments have been made as directed herein. The nominations Terms of members; nominations by mayor.

Board to approve.

made by the mayor shall be submitted to the board of commissioners in session and considered by them. The commissioners shall have the power to call for information, to summon nominees before them for examination as to their fitness, and to summon witnesses, and to take any other lawful means which shall enable them to form a correct and intelligent judgment as to the fitness of nominees. If any nominee of the mayor is disapproved of by the commissioners, the mayor shall forthwith be notified thereof. When nominees have been approved by the commissioners, the mayor shall proceed to appoint them and assign them to duty.

Appointments and removals.

No member or officer of the police force shall, after his appointment as herein directed, be removed from the force or reduced in grade or pay for any reason except inefficiency, misconduct, insubordination, or violations of law. Any person may present charges against an officer or member of the police force, which shall be filed in the office of the mayor, and by him communicated, without delay, to the commissioners, whose duty it shall be to investigate and decide upon said charges. It shall be the duty of the mayor, whenever probable cause appears, to prefer charges against any member or officer of the force whom he believes to have been guilty of any conduct justifying his removal or punishment in the interest of the public order. In such cases the mayor may suspend from duty, or from both pay and duty, any officer or member against whom charges have been made; and such officer or member shall not be placed upon duty or allowed pay thereafter unless the charges are found by the board of police commissioners not to be sustained. All charges against members or officers of the police force shall be forthwith filed by the mayor in the office of the commissioners, and within three days after such filing the commissioners shall proceed to hear and examine said charges. All charges shall be taken as denied and the hearing shall be summary and without pleading, and the action of the commissioners thereon shall be final. A record of charges and findings shall be made by them and kept in their office. They may discharge, suspend or reduce the grade and pay of any person found guilty as above. No officer or member of the police force who has been found guilty and discharged, shall ever be eligible for re-appointment to the force in any capacity whatever, unless it shall be afterwards proved to the commissioners that their decision was erroneous, and that in fact he was not guilty of the offense for which he was dismissed.

Filing charges.

Suspensions by mayor.

Hearing of charges; discharge, etc., of members.

Annual estimate for police fund.

SEC. 1892. The fund required for all purposes in carrying out the provisions of this sub-division, shall be annually estimated by the mayor and approved by the board, and on or before the first Monday of May in each year, reported to the city comptroller, who shall record and file the same, and submit it to the committee on finance of the common council, together with an ordinance levying a tax therefor for the year commencing on the first of January thereafter.

Compensation of officers and members.

SEC. 1895. The officers and members of the police force shall receive compensation as follows: The superintendent of police a salary of twenty-five hundred dollars per annum, eight hundred dollars of which sum shall be paid by the county in which such city is situated; the inspector of police shall receive a salary not

exceeding fifteen hundred dollars; the police surgeon shall receive a salary not exceeding twelve hundred dollars; lieutenants of police shall receive pay at the rate of seventy dollars per month for the first year, seventy-two dollars per month for the second year, seventy-five dollars per month for the third year, and for the fourth and subsequent years of their service, eighty dollars per month; patrolmen shall receive pay at the rate of sixty-five dollars per month during the first year of their service, seventy dollars during the second year of their service, and seventy-five dollars per month for the third and subsequent years; and station-house keepers shall receive pay at the rate of fifty dollars per month; provided, however, that in estimating the length of service, those officers and policemen appointed from the force now existing in such city shall receive credit for the faithful services rendered as such officers and policemen heretofore. The compensation of the two physicians, who, with the police surgeon constitute the board of examiners, shall be three hundred dollars ($300) per annum each, payable quarterly; provided, that the commissioners may allow said physicians an extra compensation, not exceeding two hundred ___ fifty dollars each in any one year; and the compensation of all clerks and other persons employed under the provisions of this sub-division and not otherwise fixed, shall be determined by the commissioner.

Compensation continued.

SECTION 2. That sections 1879, 1881, 1892 and 1895 of the Revised Statutes, as amended March 30, 1886, (83 v. 47), are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 658.]

AN ACT

To authorize the city council of cities of the second grade of the second class, to levy a tax and issue bonds for the purpose of straightening and protecting from overflow a water-course therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of cities of the second grade of the second class, be and is hereby authorized and empowered for the purpose herein set forth to issue bonds upon the terms herein named, not to exceed in amount one hundred thousand dollars. Said bonds shall be issued to enable the city council of said city to straighten any water-course flowing into such city from the west, and to pay for any lands and tenements which it may be necessary to appropriate for such purpose, and to protect the banks of the same with levees and rip-rapping in such manner as to protect adjacent property from damage by reason of overflow;

Dayton authorized to issue bonds to straighten a water-course.

said bonds shall be of such denomination as the council may deem best, in any sum not in excess of the amount heretofore named, and for a length of time not exceeding twenty years, and at a rate of interest not exceeding five per cent. per annum, payable semi-annually. Said bonds shall not be sold for less than their par value, and the proceeds thereof or so much thereof as shall be necessary, shall be applied to the purpose herein mentioned; said bonds shall be signed by the mayor and the clerk of said city, and be sealed with the seal of the corporation.

SECTION 2. The council of said city is hereby authorized to levy an annual tax, not in excess of five-tenths of one mill on the general duplicate of said city in addition to the other taxes heretofore levied or hereafter to be levied for the redemption of said bonds and the interest thereon, until they are paid, and said bonds redeemed as the same may become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 659.]

AN ACT

To authorize the city council of cities of the second grade of the second class to levy a tax and issue bonds for the purpose of constructing, widening and deepening the sewer and drain through the southern and south-eastern part of said city.

Dayton authorized to issue bonds to deepen a sewer.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of cities of the second grade of the second class be and is hereby authorized and empowered for the purpose hereinafter named, to issue bonds to the amount of one hundred thousand dollars. Said bonds shall be issued to enable the city council of said city to construct a sewer through Park street in said city and to improve the water way immediately east and west of said street.

Said bonds shall be of such denomination as the city council may deem best, and for a length of time not exceeding twenty years, at a rate of interest not exceeding five per cent. per annum, payable semi-annually. Said bonds shall not be sold for less than their par value, and the proceeds thereof, together with such premiums as may be derived thereby, shall be applied to no other purpose than the purpose herein mentioned, and they shall be signed by the mayor and clerk of said city, and be sealed with the seal of the corporation.

SECTION 2. The council of said city is hereby authorized to levy an annual tax not in excess of five-tenths of one mill on the general duplicate of said city in addition to the other taxes here-

tofore levied or hereafter to be levied for the redemption of said bonds and the payment of the interest thereon, until the said bonds and the interest thereon are paid and said bonds redeemed as the same may become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

LOCAL AND SPECIAL ACTS.

[House Bill No. 6.]

AN ACT

To authorize C. G. C. Lagervall, a justice of the peace in Cleveland township, Cuyahoga county, Ohio, to sign official documents and papers with a stamp.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That C. G. C. Lagervall, a justice of the peace for and within Cleveland township, Cuyahoga county, Ohio, be and hereby is authorized to sign his name with a stamp to all papers, records, and documents required to be signed by justices of the peace.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed January 12, 1886.

[House Bill No. 29.]

AN ACT

To change the name of Louis Witkosky to Louis Whit.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of Louis Witkosky, who is a resident of Corning, Perry county, be and is hereby changed to Louis Whit.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed January 29, 1886.

[House Bill No. 4.]

AN ACT

To authorize the governor of Ohio to convey certain land in Orange township, Shelby county, Ohio.

WHEREAS, The governor of the State of Ohio, in the year 1832, conveyed by deed to J. L. Moore the fee simple title to the east half of the northeast quarter of section number thirty-two (32), town two (2), range eleven (11); and

WHEREAS, It appears that the State never owned said land, and that at the time of the execution of said conveyance by the governor the title in and to

said land was vested in one John Rodgers, who purchased the same in the year 1813 of the federal government; and

WHEREAS, It appears that it was the east half of the north-east quarter of section thirty-two (32), town two (2), range thirteen (13), that the governor intended to convey to said J. L. Moore, and that said Moore and his grantees have been in the undisturbed possession of said last described land since the year 1832 and have made valuable improvements thereon; and

WHEREAS, It appears that said Moore conveyed said last described tract to one Rowland Willard, Willard to William Barbee, Barbee to Josiah McCloskey, and McCloskey to Susan Quinlisk, who is now in possession of said land; and

WHEREAS, It appears from the records in the office of the auditor of state that the title to said last above described tract is still in the State and remains unsold; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor of Ohio be and hereby is authorized and empowered to convey by deed in fee simple to Susan Quinlisk said east half of the north-east quarter of section thirty-two (32), town two (2), range thirteen (13).

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed January 29, 1886.

[Senate Bill No. 26.]

AN ACT

To authorize the county commissioners of Erie county to erect, build and furnish a new infirmary building for said county to supply the place of the one destroyed by fire.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Erie county, Ohio, be and they are hereby authorized to erect, build and furnish a new infirmary building for said county at a cost not exceeding twenty (20) thousand dollars, and for that purpose they are hereby authorized and empowered to issue bonds of said county not exceeding in amount the sum of twenty (20) thousand dollars.

Said bonds may be in denominations of not less than five hundred ($500) dollars, or more than two thousand ($2,000) dollars, and payable with interest not exceeding six per cent. per annum, payable semi-annually, and have such coupons or interest warrants attached thereto, as the commissioners of said county may direct.

SECTION 2. Said bonds shall be made negotiable and transferable, and be due and payable in five, six, seven, eight, nine and ten years from the date thereof, with interest and principal payable at the office of the treasurer of said county, and not to be sold for less than their par value and accrued interest.

Due notice shall be given of the sale of said bonds according to law. Said bonds shall be issued and signed by the commissioners and countersigned by the county auditor, who shall preserve and keep a record of each bond so issued in a book provided for that purpose.

SECTION 3. That the said county commissioners of Erie county, for the purpose of paying the interest and principal of said bonds as the same become due and payable, be and they are hereby authorized and required to levy a tax annually, in addition to the tax authorized by law, for one, two, three, four, five, six, seven, eight, nine and ten years on the taxable property of said county, to be collected as other taxes, and applied respectively to the payment of the principal and interest of said bonds as they become due, and said tax may be for any amount they deem necessary, not exceeding four thousand ($1,000) dollars and the interest herein provided for in any one year, and not exceeding in the aggregate the sum of twenty (20) thousand dollars and the interest thereon, at six (6) per cent. per annum, payable semi-annually; and said commissioners are hereby invested with all the power that may be necessary to carry into effect, fully and completely, the provisions of this act.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 3, 1886.

[Senate Bill No. 8.]

AN ACT

To change the name of Harry A. Abernathy.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of Harry A. Abernathy, a resident of Hamilton county, Ohio, be and the same is hereby changed so as to be and read as follows, to-wit: Harry A. Day.

SECTION 2. That such change shall in nowise affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 3, 1886.

[House Bill No. 127.]

AN ACT

To authorize the board of education of Marseilles township, Wyandot county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Marseilles township, Wyandot county, Ohio, be and

the same is hereby authorized to transfer three hundred dollars from the building fund of said district to the incidental fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 12, 1886.

[House Bill No. 140.]

AN ACT

To divide Tuscarawas township, Coshocton county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Tuscarawas township, Coshocton county, Ohio, is divided into two election precincts, as follows: Commencing, for a dividing line, at the western boundary of such township, at the point where Main street in the village of Coshocton intersects the Muskingum river, and running thence east on Main street to the point where Main street intersects Chestnut street in such village; thence east on Chestnut street to the eastern boundary line of the village of Coshocton, and where Chestnut street intersects the public road leading from the village of Coshocton to the village of West Lafayette in Coshocton county; thence along said public road to the eastern boundary of Tuscarawas township. All of that portion of such township lying north of such division line shall be known as precinct No. 1; and all that portion lying south of such division line shall be known as precinct No. 2.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 12, 1886.

[House Bill No. 124.]

AN ACT

To authorize the council of the city of Massillon, Stark county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Massillon, Stark county, Ohio, is hereby authorized to transfer one thousand dollars from the hospital fund of said city to the city prison and police fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 12, 1886.

[House Bill No. 168.]

AN ACT

To authorize the council of Coldwater to borrow money to purchase fire apparatus.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Coldwater, Mercer county, Ohio, is hereby authorized to borrow a sum not to exceed two thousand dollars, for the purpose of supplying said village with suitable equipments to protect the same from fire. Such village council may issue bonds for said sum, in the name of said village, under the corporate seal thereof, bearing interest, not to exceed six per centum per annum, payable semi-annually, at such places and at such times, not to exceed ten years after the date thereof, as shall be deemed best by said council; said bonds shall be signed by the mayor, and attested by the clerk of said village. The clerk shall keep a record of the same, and the faith of the village shall be pledged for the redemption of the same, and it shall be the duty of said council, annually, to levy sufficient tax to pay the interest on, and provide a sinking fund for the final redemption of said bonds.

SECTION 2. That said council shall have the control and disbursement of said funds, and shall expend the same in procuring the necessary equipments to protect said village from fire.

SECTION 3. This act shall take effect and be in force on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 16, 1886.

[House Bill No. 93.]

AN ACT

To authorize the village council of DeGraff, Logan county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of DeGraff, Logan county, Ohio, be and is hereby authorized to transfer the sum of one hundred and seven dollars and eighty-seven cents from real estate and right of way fund, to general fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 16, 1886.

[House Bill No. 63.]

AN ACT

To divide the township of Coventry, Summit county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Coventry, in the county of Summit, State of Ohio, be and the same is hereby divided into two election precincts with boundaries as follows: commencing at the north-west corner of said Coventry township; thence east along the established boundary or north line of said township; thence south along the east boundary to a point thirty rods south of the south-east corner of lot four; thence west and parallel with the south line of lots four (4), five (5), twelve (12), and thirteen (13), to the west boundary of the township; thence north along the west line of said township to the place of beginning. All that portion of said township north of the dividing line aforesaid to be designated as north precinct, and all that portion of said township south of the dividing line aforesaid to be designated as south precinct.

SECTION 2. This act to take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 16, 1886.

[House Bill No. 16.]

AN ACT

To change the surnames of certain persons named therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the respective surnames of Joseph Charles Piercynski, Maria Francis Piercynski, his wife; Joseph Clifton Piercynski, son of the said Joseph Charles Piercynski, all of whom are residents of Sandusky, Erie county, Ohio, be and the same are hereby changed so as to read as follows, respectively, to-wit: Joseph Charles Piercy, Maria Francis Piercy, and Joseph Clifton Piercy.

SECTION 2. That such changes of surnames shall in nowise affect the rights, privileges and liabilities of either of said persons, individually and generally.

SECTION 3. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 16, 1886.

[House Bill No. 88.]

AN ACT

Supplemental to an act entitled "an act to authorize the council of the incorporated village of Wellington, Ohio, to join with the township of Wellington, Lorain county, Ohio, in the construction of a town-hall for the joint use of said village and township, and to borrow money in payment thereof," passed February 25, 1885, ([82] O. L. 304.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of said township of Wellington, and the village council of said incorporated village of Wellington, are hereby authorized to raise, by taxation, in manner and form, and in such proportions between said township and village as is in said original act specified, an additional sum, not to exceed five thousand dollars, for the purpose of providing money to seat, heat, light, and furnish said hall, and equip the same for public use. Said additional sum shall be levied after the fifth annual installment as provided in section three of said original act, the same being the sixth annual installment of taxes for town-hall purposes. Said tax may be anticipated by the issue and sale of bonds in manner and form as is provided in sections 1479 and 1480 of the Revised Statutes of Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 16, 1886.

[Senate Bill No. 27.]

AN ACT

To amend section 9 of the act of April 17, 1885, (82 vol. 364), entitled "an act to authorize the commissioners of Hancock county, Ohio to build a court house."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section nine (9) of the above recited act be so amended as to read as follows:

SEC. 9. The said county commissioners shall annually, at their June session, levy such amount of tax as will pay the interest on said bonds, and after ten years from the date of said bonds, shall in like manner levy such further sum annually as may be necessary to pay said bonds as they respectively become due.

SECTION 2. That said original section nine (9) is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 17, 1886.

[Senate Bill No. 20.]

AN ACT

To amend an act entitled an act to authorize the trustees of Burton township, Geauga county, to repair their town-hall, passed May 12, 1885.

WHEREAS, At a special election, held in the township of Burton, county of Geauga, on the 26th day of January, 1885, due notice of which was given, the electors voting at such election voted almost unanimously in favor of authorizing the trustees of said township to repair the town-hall therein, at an expense not exceeding nine hundred dollars; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Burton, Geauga county, are hereby authorized to repair the town hall of said township, at an expense not exceeding nine hundred ($900) dollars. And the said trustees, to provide for the payment of the debt incurred thereby, are authorized to issue the bonds of said township for a sum not exceeding nine hundred ($900) dollars, payable in not more than twelve (12) years, bearing interest at a rate not exceeding six per cent., payable annually, at the office of the treasurer of said township, and which shall not be sold at less than par value. Said bonds shall be signed by the trustees of said township, and attested by the township clerk.

SECTION 2. Said trustees shall annually thereafter cause the necessary taxes to be levied to pay the interest on said bonds and to pay the principal thereof as the same shall become due, in the manner provided by law for the levying and collection of taxes.

SECTION 3. Said original act is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 17, 1886.

[Senate Bill No. 31.]

AN ACT

To authorize the trustees of Newark township, Licking county, Ohio to tranfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Newark township, Licking county, Ohio, be and the same are hereby authorized, by resolution of said trustees, at any regular meeting thereof, to transfer the sum of fourteen thousand and fifty-one ($14,051.00) dollars from the railroad sinking fund, to the general and township poor fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 18, 1886.

[House Bill No. 35.]

AN ACT

To authorize the commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to wit: Beginning at the south end of the Fristoe bridge on the West Union and Jacksonville turnpike, thence up Brush creek on the west side thereof, over the most practicable route to the town of Newport.

SECTION 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax, not exceeding two mills on the dollar annually, on all the taxable property of said county for the purpose of paying said bonds and the interest thereon.

SECTION 3. A majority of said commissioners may at any regular or special session agree upon plans and specifications and order said improvement or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 23, 1886.

[House Bill No. 85.]

AN ACT

To authorize the board of education of the village of Montpelier, Williams county, Ohio, to levy an additional tax to carry on schools therein.

SECTION 1 *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of Montpelier, in Williams county, Ohio, be and are hereby authorized to levy a tax for the years 1886, 1887, 1888, 1889 and 1890, on all the taxable property within said district, not exceeding three mills on the dollar for each year, in addition to the levy now authorized by law, the same to be collected as other taxes, for the purpose of paying the indebtedness, and supporting and continuing the schools in said district.

SECTION 2. It shall be the duty of said board of education to submit said proposition to levy said tax to the qualified electors of said district at the general election to be held in said district on the first Monday of April, 1886. Fifteen days' notice of the proposed submission of said proposition to levy said tax shall be given by posting notices in five of the most public places in said district. The form of the ballots at said election on said proposition, shall be as follows: "For school tax—Yes;" "For school tax—No;" and if a majority of the qualified voters at said election shall vote in favor of said propo-

sition, said board of education shall be authorized to make said levy for each of the years above mentioned, and not otherwise.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 23, 1886.

[House Bill No. 165.]

AN ACT

To authorize the village of Clyde, Sandusky county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Clyde, Sandusky county, be and hereby is authorized to transfer certain funds of said village now in the treasury thereof, and to be realized from annual levy made by ordinance, passed May 15, 1885, as follows, to wit: From the street improvement fund, the sum of five hundred ($500) dollars; from the fire department fund the sum of two hundred ($200) dollars; both sums to the general corporation fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 23, 1886.

[House Bill No. 171.]

AN ACT

To authorize the sinking fund commissioners of the city of Cleveland to appropriate from the sinking fund of 1862, the sum of twenty-nine thousand dollars ($29,000.00) for the purpose of building and equipping a fire boat for said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be lawful for the sinking fund commissioners of the city of Cleveland, appointed under an act of the General Assembly of March 28, 1862, and they are hereby authorized and empowered, in addition to the payments from the sinking fund already authorized, to pay from such fund, for the purpose of building and equipping a fire boat for said city, a sum not exceeding twenty-nine thousand dollars ($29,000) as the common council of said city may by ordinance direct.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P KENNEDY,
President of the Senate.

Passed February 23, 1886.

[House Bill No. 51.]

AN ACT

Authorizing the board of education of the village of Middle Point, Van Wert county, Ohio, to issue bonds to aid in the completion and furnishing of normal school buildings, and to provide means of higher education for the youth of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of aiding in the completion and furnishing of normal school building in the village of Middle Point, Van Wert county, Ohio, and afford facilities for the higher education of the youth of the school district of said village of Middle Point and the territory thereto attached for school purposes, the board of education of the said school district is hereby authorized to issue the bonds of said school district, signed by the president and clerk thereof, for an amount not exceeding five thousand dollars, payable in five annual payments of one thousand dollars ($1,000) each, commencing not later than fifteen years from the date of issuing the same. Said bonds shall bear interest at a rate nor exceeding six per cent. per annum, to be paid semi-annually, and shall not be sold for less than their par value, and shall not bear interest until sold. The money realized from the sale of said bonds shall be used by said board of education to aid in the completion and furnishing of normal school buildings within said school district in connection with the Middle Point Normal School Associated Company, of Middle Point, Ohio.

SECTION 2. For the purpose of paying the bonds issued under section one of this act, and the interest thereon as the same shall become due, said board of education shall annually levy a tax on the taxable property in said school district sufficient therefor.

SECTION 3. The clerk of said board of education shall keep a record of said bonds, showing the number, amount and date of each, when due, and the rate of interest, and when paid they shall be taken up and canceled and the fact noted on the record.

SECTION 4. Said bonds shall not be issued, nor said tax assessed until the question shall be submitted to the voters of said school district at a general election, of which at least ten days' notice shall be given by written or printed notices posted up in at least five public places in said school district; at said election all voters desiring to vote in favor of issuing said bonds and levying said tax shall have written or printed on their ballots the words, "Normal school—Yes;" and all voters desiring to vote against issuing said bonds and levying said tax shall have written or printed on their ballots the words, "Normal school—No" No bonds shall be issued nor no taxes levied under this act unless two-thirds of the votes cast at said election shall be favorable thereto.

SECTION 5. Said election shall be held and controlled by said board of education at the usual places of holding elections in said school district, and the polls shall be kept open at least five hours, closing at six o'clock p m. The clerk of said board of education shall be clerk of said election, and shall enter a complete record of said election on the records of said school district, and shall file and preserve all poll-books, tally-sheets and other papers pertaining to said election.

SECTION 6. No part of the funds resulting from the sale of said bonds shall be used for said purposes until said board of education and the directors of the Middle Point Normal School Associated Company shall have entered into a contract in behalf of said association, with said board of education, to the effect that all the youth of said school district of school age, who shall

desire to pursue the branches of study taught in said normal school, shall be instructed in all such branches without the payment of tuition.

SECTION 7. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 25, 1886.

[House Bill No. 115.]

AN ACT

To authorize the incorporated village of Corning, Perry county, to issue bonds for the purpose of building a mayor's office, making street improvements, constructing drainage and sewerage, and erecting street lamps in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Corning, Perry county, is hereby authorized to issue bonds not exceeding in amount the sum of twelve hundred dollars, for the purpose of building a mayor's office, making street improvements, constructing drainage and sewerage, and erecting street lamps in said village.

SECTION 2. Said bonds shall be signed by the mayor of said incorporated village, and countersigned and registered by the clerk thereof, and may be issued in denominations of not less than fifty dollars nor more than two hundred dollars, bearing interest at the rate of six per centum per annum, payable annually, the principal and interest to be paid in one, two, three and four years from the first day of April, A.D. 1886, and in such amounts each year as the council of said village may direct, and said bonds shall not be sold for less than par.

SECTION 3. For the payment of the principal and interest of said bonds as the same shall become due, the council of said village is hereby authorized and required to levy a tax on all taxable property within the corporate limits of said village, in such amounts as will each year meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 25, 1886.

[House Bill No. 125.]

AN ACT

To authorize the purchase of a site and the erection of the necessary buildings for a children's home for Brown county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be established and maintained a children's home, in Brown county, Ohio, to be styled and used as the children's home of Brown county, Ohio, and said children's home shall be governed, supported and conducted as provided

by the statutes of the State of Ohio now in force, relating to children's homes for counties, so far as the same are not inconsistent with this act.

SECTION 2. For the purpose of carrying into effect the provisions of this act, the commissioners of said county shall appoint a board of three trustees, who shall hold their offices as follows: One for one year, one for two years, and one for three years, from the first Monday of March thereafter, and annually after said board is so consitituted the county commissioners shall, on the first Monday of March, appoint one trustee for said children's home, who shall hold his office for the term of three years, and until his successor is appointed and qualified.

SECTION 3. The board of trustees so appointed are hereby authorized and empowered to purchase a suitable site, and erect thereon necessary buildings, or to purchase a suitable site with buildings already erected thereon, to be styled and used as the children's home for said county, and the title to any such property shall vest in the board of commissioners of said county, in trust for the uses and purposes of the children's home of such county; provided, however, that no more than fifteen thousand dollars ($15,000), shall be expended in the purchase of a site and the erection of buildings thereon in said county.

SECTION 4. The said board of trustees so appointed shall have full power to make all necessary contracts for the purchase of said site and for the erection of the necessary buildings thereon, and all such contracts shall be made in the name of said board of trustees for, and on behalf of said county, and signed by the chairman and clerk of said board and by the contractor, and all contracts for the erection of said buildings shall be let to the lowest responsible bidder, after causing at least fifteen days' notice to be given in one or more newspapers of general circulation in said county, that sealed proposals will be received for doing the work or furnishing the materials for said buildings.

SECTION 5. The board of commissioners of said county, shall provide means by taxation for the purchase of such site and the erection of suitable buildings thereon, and for the support of such children's home, and for that purpose the commissioners of said county are authorized to levy each year an additional tax, not exceeding one-half mill on the dollar, upon all the property of said county.

SECTION 6. The commissioners of said county are hereby authorized and empowered to issue the bonds of said county in anticipation of the collection of the taxes levied, or to be levied for the purchase of a suitable site, and erection of the necessary buildings thereon, or for the purchase of a suitable site and buildings already erected thereon, said bonds to run for a period not exceeding ten years, to bear interest at a rate not to exceed six per cent. per annum, interest payable semi-annually; and said bonds shall be issued from time to time as they may be required, and may be sold at public or private sale at not less than their par value, and the amounts realized from the levy and collection of the additional tax aforesaid shall be applied to the support and maintenance of said children's home, and to the payment of the bonds and interest, issued under the provisions of this act.

SECTION 7. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed February 25, 1886.

[House Bill No. 198.]

AN ACT

To provide for the transfer of certain funds herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Taylorsville, Muskingum county, Ohio, be and the same is hereby authorized to transfer the sum of seventy dollars and eighty-two cents, now in the indebtedness fund of said village, into the building fund.

SECTION 2. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed February 25, 1886.

[Senate Bill No. 36.]

AN ACT

To authorize the board of education of the village of West Liberty, Logan county, Ohio, to issue bonds for the purpose of continuing the schools thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of West Liberty, Logan county, Ohio, is hereby authorized and empowered to issue bonds not to exceed fifteen hundred ($1,500) dollars for the purpose of providing for a deficiency in the school funds of said village; said bonds shall be issued in such denominations and payable at such times, not exceeding five years, as said board of education may direct; said bonds shall bear interest at the rate of six per cent., interest payable annually, and shall be sold for not less than their par value; said bonds shall be signed by the president and secretary of said board, and the proceeds thereof shall be paid over to the treasurer of said board.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 2, 1886.

[Senate Bill No. 45.]

AN ACT

To authorize the incorporated village of Lebanon, Warren county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Lebanon, Warren county, Ohio, be and the same is hereby authorized to permanently transfer a surplus of nine hundred and fifty-eight dollars and sixty-nine cents from the hall fund of said

village to the general fund thereof; and a surplus of one hundred and forty-one dollars and fifty-seven cents from the special fire fund of said village to the fire fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 2, 1886.

[Senate Bill No. 54.]

AN ACT

To authorize the board of education of New Richmond, Clermont county, to issue bonds and levy a tax for the repair of school buildings.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of New Richmond, Clermont county, Ohio, be and is hereby authorized and empowered to issue the bonds of said school district in a sum not exceeding one thousand dollars, the proceeds thereof to be applied to the repairing of a school building and enclosures in said district.

SECTION 2. Said bonds shall be signed by the president of said board of education and countersigned by the clerk, who shall keep a record of the same, and shall be in such denominations as the board shall determine, payable in one and two years, with interest at six per cent. per annum, payable annually, and shall be sold as provided by law; said board is also authorized to levy a tax sufficient to pay said bonds as they become due, in addition to the maximum rate authorized by law upon all taxable property of said school district.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 2, 1886.

[House Bill No. 275.]

AN ACT

To authorize the council of the village of Elyria, Lorain county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Elyria, Lorain county, Ohio, be and are hereby authorized to transfer from the general revenue fund of said village as follows, to-wit: Five hundred dollars to the salary fund, four hundred dollars to the town-hall fund, two hundred dollars to the public park fund, and two hundred dollars to the sewer fund of said village.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 2, 1886.

[Senate Bill No. 65.]

AN ACT

To divide Somerset township, Belmont county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Somerset township, in Belmont county, Ohio, be divided into two election precincts, and shall be divided by the following line: Commencing at a point in the south line of said township at the southwest corner of section thirteen (13) of said township, thence north with section line to north boundary line of said township.

SECTION 2. That all that part of said township lying east of said dividing line shall be and is hereby constituted an election precinct, to be known and designated as the Somerton precinct of said township; and all that part of said township lying west of said dividing line shall be and is hereby constituted an election precinct, to be known and designated as Boston precinct of said township.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 4, 1886.

[House Bill No. 166.]

AN ACT

To authorize the city council of the city of Delaware, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Delaware, Ohio, are hereby authorized to transfer from the moneys of the bridge fund of said city the sum of three thousand ($3,000) dollars to the fire department fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 4, 1886.

[House Bill No. 178.]

AN ACT

To authorize the trustees of Willoughby township, Lake county, Ohio, to issue bonds and levy a tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Willoughby township, Lake county, Ohio, be and are hereby authorized to issue bonds of said Willoughby township to the amount of one

thousand dollars, in two installments of five hundred dollars each, payable in one and two years, bearing interest at six per cent. per annum, interest payable semi-annually, for the purpose of constructing a road laid out by the county commissioners, from the east line of the incorporated village of Willoughby to the east line of Willoughby township.

SECTION 2. For the purpose of raising the money to pay said bonds and the interest thereon, the said trustees shall levy a sufficient tax upon the taxable property of said township, outside of the incorporated village of Willoughby.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 4, 1886.

[House Bill No. 209.]

AN ACT

To authorize the county commissioners of Belmont county to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Belmont county are hereby authorized to transfer not exceeding two thousand dollars of the bridge fund of said county to the national road fund of said county, to reimburse said national road fund for moneys expended in repairing washouts on the national road along Wheeling creek.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 4, 1886.

[House Bill No. 220.]

AN ACT

To authorize the board of education of the city of Piqua, Miami county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the city of Piqua, in Miami county, Ohio, be and they are hereby authorized to borrow any sum of money, not exceeding twenty thousand dollars, for the purpose of paying the floating debt of said board, incurred in completing the new high school building in said city, and in providing for furnishing and heating the same.

SECTION 2. That for the purpose aforesaid the said board are hereby authorized to issue bonds, not exceeding twenty thousand dollars in amount, to be signed by the president, and attested by the clerk of said board, in sums of not more than one thousand dollars, nor less than one hundred dollars, bearing

interest at the rate of six per cent. per annum, payable semi-annually, said bonds to be payable at such time or times, not exceeding twenty years from the respective dates thereof, as said board may determine; said bonds shall be sold for not less than their par value, and said bonds may at the discretion of the board have coupons attached.

SECTION 3. Said board shall, annually thereafter, cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereof as the same shall become due, in the manner provided by law for the levying and collection of taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 4, 1886.

[House Bill No. 142.]

AN ACT

To authorize the village of College Hill, Hamilton county, Ohio, to borrow an additional sum of money for the purpose of building a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of College Hill, in the county of Hamilton, be and it hereby is authorized to borrow, in addition to the amount authorized by an act passed April 30, 1885, entitled an act to authorize the village of College Hill, Hamilton county, Ohio, to borrow money to build a town hall, contained in 82 vol. Ohio Laws, page 394, a sum of money not exceeding five thousand dollars in amount for the building of the town hall, provided for in the act herein last above referred to, and the council of said village is hereby authorized to issue bonds of said village for the money so borrowed, said bonds to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and said bonds shall be of such denomination and shall mature at such times as the council shall determine; provided, that such bonds shall not be sold for less than their par value.

SECTION 2. Said council is hereby authorized to levy such amount of tax upon the taxable property of the village as may be necessary to pay the interest and principal of such bonds, when the same become due, said tax to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 4, 1886.

[House Bill No. 190.]

AN ACT

To authorize the village of Van Wert to prohibit the interment of the dead in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Van Wert, Ohio, shall have the power to prohibit the interment of the dead in any cemetery within said village, whenever the board of health of said village, by resolution duly passed, certifies to the village council thereof, that the same is necessary and essential to the sanitary welfare of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 4, 1886.

[House Bill No. 214.]

AN ACT

To authorize the commissioners of Geauga county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Geauga county, Ohio, be and are hereby authorized to transfer, not to exceed ten thousand dollars, from the general fund of the county to the infirmary fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 4, 1886.

[Senate Bill No. 61.]

AN ACT

To authorize the village council of the village of Batavia, Clermont county, Ohio, to issue the bonds of said village to finish and complete the town hall of Batavia, Ohio, and to heat, light and seat the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the village of Batavia, Clermont county, Ohio, be and it is hereby authorized to issue the bonds of said village in denominations of not less than five hundred ($500) dollars each, and in the aggregate not to exceed three thousand ($3,000) dollars, for the purpose of raising money to finish and complete the new town hall of said village, and to heat, light and seat the same; which bonds shall have proper interest coupons attached and bear a rate of interest not exceeding six per cent. per annum, payable semi-annually, at such place as the council of said village may, by ordinance or resolution, determine.

SECTION 2. Said bonds shall be signed by the mayor of said village, and countersigned by the corporation clerk of said village; and they shall be issued in such denominations respectively, as will, in the judgment of the council, best subserve the negotiation and sale thereof, and shall not be sold for less than their par value, with the accrued interest, and said bonds may, by ordinance or resolution of the council, be sold at private sale and without advertising; the principal of said bonds shall be payable at such place and times as the council may determine by ordinance or resolution, not exceeding five years. And said council is hereby authorized to levy a tax annually on all the taxable property of said village of Batavia to pay said bonds and the interest thereon as the same may become due, not exceeding two mills on the dollar in any one year, in addition to the maximum rate authorized by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 5, 1886.

[House Bill No. 47.]

AN ACT

To divide Bokes Creek township, Logan county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Bokes Creek township, in Logan county, Ohio, be divided into two election precincts, and shall be divided by the following line: commencing at a point in the west line of said township where the Greenville treaty road crosses said line, about two and a half miles from the south-west corner of said township; thence east with the centre of said road, at a point where said road crosses the east line of said township.

SECTION 2. That all that part of said township lying south of said dividing line, shall be and is hereby constituted an election precinct, to be known and de ignated as the West Mansfield precinct of said township; and all that part of said township lying north of said dividing line shall be and is hereby constituted an election precinct, to be known and designated as Bokes Creek precinct of said township.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 5, 1886.

[House Bill No. 41.]

AN ACT

To repeal an act entitled "an act to amend an act to provide for the construction, improvement and maintenance of roads and highways in the county of Morgan, Ohio, passed March 27, 1884," passed May 2, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the above entitled act, passed May 2, 1885, (volume 82, page 407), be and the same is hereby repealed.

SECTION 2. That sections 1457, 1459, 2829, 2830, 4738, 4739, 4755, 4756 and 4757; also sections 2822 and 2824 of the Revised Statutes of Ohio, which by said entitled act were declared inoperative in said county, are hereby declared operative and in full force in said county of Morgan.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 5, 1886.

[House Bill No. 267.]

AN ACT

To authorize the trustees of Jefferson township, Fayette county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of Jefferson township, in Fayette county, Ohio, be and hereby are authorized to transfer seven hundred and seventy-seven dollars and thirty-seven cents from the township fund of said township to the road fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 5, 1886.

[House Bill No. 213.]

AN ACT

To authorize the trustees of Stow township, Summit county, Ohio, to levy a tax and build a vault in Stow cemetery, near "Stow Corners," in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Stow township, Summit county, Ohio, are hereby authorized and empowered to levy a tax on all taxable property of said township, not to exceed in the aggregate twelve hundred dollars, for the purpose of building and erecting a vault on the cemetery grounds, near "Stow Corners," in said township.

SECTION 2. Before proceeding to levy such tax and build such vault, the question shall be submitted to the qualified electors of said township, at the first regular election succeeding the passage of this act; at least ten days' notice of the submission of said question shall be given by notice posted at three public places in said township; said notice shall be signed by the clerk of said township. Those who are in favor of erecting said vault and levying such tax shall have written or printed on their ballots the words "Cemetery vault—Yes;" those opposed, the words "Cemetery vault—No." If a majority of all the voters voting at said election shall vote "Cemetery vault—Yes," it shall be the duty of said trustees to erect said vault and levy the tax as hereinbefore provided.

SECTION 3. The tax levied by such trustees under authority of this act shall be returned to the auditor of said county, and placed on the duplicate of said township and collected as other taxes; and when so collected shall be paid to the treasurer of said township, and by him disbursed for the purpose aforesaid, on the order of said trustees.

SECTION 4. This act shall be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 5, 1886.

[Senate Bill No. 77.]

AN ACT

For the relief of Abram Goodlive, treasurer of Clay township, Muskingum county.

WHEREAS, The house of Abram Goodlive, treasurer of Clay township, Muskingum county, (a township not provided with "a good fire and burglar proof safe,") was, on the night of the 22nd day of October, 1885, burglarized and all the money he had stolen from him; and

WHEREAS, Of the moneys then stolen there were four dollars and fifty-one cents of poor funds; fourteen dollars and thirty-nine cents of road; ninety-five dollars and five cents of special road; one hundred and eighty-six dollars and thirty-seven cents of township, and four hundred and thirteen dollars and nineteen cents of school funds, making a total of public moneys so stolen of seven hundred and thirteen dollars and fifty-one cents; and

WHEREAS, The said Goodlive has exhausted every means in his power to recover said moneys and convict suspected parties; and

WHEREAS, At the present session of the General Assembly there was presented in the senate a petition for the relief of said Goodlive signed by (119) one hundred and nineteen of the voters of said township, to which petition is appended an affidavit of J. D. H. Parrott, John H. Beem, and F. M. Rider, dated January 30, 1886, in which, among other facts, it is shown that the affiants are the trustees of said township, and that those who signed said petition are a majority of all the qualified voters of said township, as ascertained by the poll-books of Clay township, of the election held in October, 1885; and

WHEREAS, The said Goodlive is a poor man and a cripple, with a large family depending on his daily labor for their support, and the owner only of a very humble home; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Clay township, Muskingum county, are hereby authorized to

settle, compromise with, or absolutely release Abram Goodlive and his sureties on his official bond as treasurer of said township from the payment of said sum of seven hundred and thirteen ($713 51-100) dollars and fifty-one cents, so as aforesaid stolen from him as such treasurer.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 5, 1886.

[Senate Bill No. 44.]

AN ACT

To require the treasurer of Logan county to pay to the treasurer of the village of Bellefontaine certain taxes hereafter collected.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Logan county, Ohio, shall cause to be paid over by the treasurer of said county to the treasurer of the village of Bellefontaine, a sum equal to two-thirds of all taxes hereafter collected for the repair of improved roads upon the taxable property of said village, which sum shall be used by the council of said village for street and road purposes therein.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 9, 1886.

[House Bill No. 151.]

AN ACT

To create a new election precinct in Big Spring township, Seneca county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a new election precinct be created in Big Spring township, Seneca county, with boundaries as follows:

Commencing for the same at the northeast corner of township one, north, range thirteen east (being Big Spring township); thence west on and along the north line of said Big Spring township to the northwest corner of section number two of said township; thence south on the section line between sections two and three, ten and eleven to the quarter post on the east line of section fifteen and west line of section fourteen of said township; thence east on the east and west center line of section number fourteen to the quarter post on the east line of section fourteen (14); thence south to the section corner between sections thirteen (13), fourteen (14), twenty-three (23) and twenty-four (24); thence east on the south line of section thirteen (13) to the east line of said township; thence north on and along said line to the place of beginning, and thirteen to

the east line of said township to the place of beginning, embracing sections one, two, eleven, twelve and section thirteen, and the north half of section fourteen of said Big Spring township, said precinct so created to be known as "New Riegel precinct."

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 9, 1886.

[House Bill No. 183.]

AN ACT

To authorize the board of education of the village of West Unity, Williams county, Ohio, to levy an additional tax to carry on the schools therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of West Unity, in Williams county, Ohio, be and are hereby authorized to levy a tax for the years 1886, 1887, 1888, 1889 and 1890, on all the taxable property within said district, not exceeding three mills on the dollar for each year, in addition to the levy now authorized by law, the same to be collected as other taxes, for the purpose of supporting and continuing the schools in said district.

SECTION 2. It shall be the duty of said board of education to submit said proposition to levy said tax to the qualified electors of said district at the general election to be held in said district on the first Monday of April, 1886. Fifteen days' notice of the proposed submission of said proposition to levy said tax, shall be given by posting notices in five of the most public places in said district. The form of the ballots at said election on said proposition, shall be as follows: "For school tax—Yes;" "For school tax—No;" and if a majority of the qualified voters at said election shall vote in favor of said proposition, said board of education shall be authorized to make said levy for each of the years above mentioned, and not otherwise.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 9, 1886.

[House Bill No. 106.]

AN ACT

To authorize the commissioners of Greene county to issue bonds, and for the government of the work-house.

WHEREAS, The commissioners of Greene county, in the year 1882, united with the city of Xenia, in said county, in the erection of a work-house in said city for the joint use of said county and city, and the said city of Xenia,

understanding that the agreement between the city and county being for the erection, management and maintenance of said work-house, so entered on the minutes of said city, and the commissioners understanding that they were to join only in the erection of said work-house so entered upon the minutes of the commissioners of said county, and the said city of Xenia having paid into the work-house fund the full amount of the city's share of expenses incurred by the board of directors of said work-house in the improvement of said work-house, and for the care of prisoners therein confined, and the commissioners being desirous of paying the amount due from said county as its share of improvement of said work-house and maintenance of the prisoners therein confined, and of taking part in the management and maintenance in the future; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of raising money to discharge said obligation, the commissioners of Greene county are hereby authorized, empowered, and required to issue and sell forthwith, at public or private sale, the bonds of said county, not exceeding in amount three thousand dollars ($3,000.00).

SECTION 2. Said bonds shall be of such denominations as the commissioners shall deem proper; shall run any length of time not exceeding five years; shall bear interest not exceeding six per cent. per annum, payable annually, and shall be sold at not less than par.

SECTION 3. When any bonds are sold under the provisions of this act by said commissioners, the money arising therefrom shall be paid into the treasury of the city of Xenia to the credit of the work-house fund, and shall be expended so far as necessary for the purpose of satisfying the obligations incurred by said board, and remaining unpaid for the reason of the failure of said county to pay the amount due as its share of said expenses.

SECTION 4. Said commissioners are hereby authorized to levy a tax, if necessary, on all the taxable property of said county, for the purpose of paying the bonds and interest issued under the provisions of this act, which tax shall be apportioned in each year to the number of years said bonds are to run; provided, that such levies shall be made as that the property in said city shall not be taxed to pay any part of said amount.

SECTION 5. The county commissioners shall defray the expenses of said work-house out of the county treasury, incurred on account of committals thereto of persons charged with offenses under the statutes of Ohio, and of violations of ordinances of the towns and villages in said county other than the city of Xenia; and the city of Xenia shall defray the expenses incurred on account of committals thereto for violations of the ordinances of said city; and the general expense of said work-house shall be apportioned between said county and said city according to such committals, and payments shall be made quarterly, by the county, on the 1st Monday of March, June, September and December, and shall be verified under oath by the clerk of said board; and the payment shall be made by said city out of the work-house fund on the allowance of said board, and the council of said city on orders signed by the president of the council and the city clerk.

SECTION 6. The direction, management and control of said work house, and the maintenance and care of convicts therein, shall be vested in a board of five directors, who shall be called the board of work-house directors; and such directors shall be freehold electors of said county.

SECTION 7. The term of the present board of work-house directors shall expire and cease on the second Monday of April, A. D. 1886, and the terms of the members thereof, hereafter appointed, shall be for the term of five years, except the first appointment. The judge of the court of common pleas of said county shall on said second Monday of April, A.D. 1886, appoint one member

of said board for the term of five years, and the commissioners of said county shall appoint two members of said board, one for four years, and one for two years, and the mayor of said city shall appoint, by the approval of council, two members of said board, one for three years, and one for one year, and as such terms expire the mayor of said city, the county commissioners, and judge of said court, shall make appointments for the full term of five years, to fill such vacancies, and any vacancy occurring in any of said terms, shall be filled by appointment of the officer originally making such appointment.

SECTION 8. The board of directors of said work-house shall make and establish rules and regulations for the governing of said work-house, and a person sentenced to said work-house shall be received therein, and shall be there kept and confined at labor, and shall be subject to the rules, regulations and discipline thereof, until the expiration of his sentence or he be discharged according to law.

SECTION 9. The officer having the execution of the final sentence of any court, magistrate or mayor, shall cause the convict to be conveyed to the work-house as soon as practicable after the sentence is pronounced; and all officers shall be paid the fees allowed therefor by law for similar services in other cases; such fees to be paid, when the sentence is for a State offense, out of the county treasury, and for a violation of an ordinance, out of the corporation treasury from which such committal was made.

SECTION 10. The board of directors shall elect one of their number as president of said board, who shall preside over their meetings, and shall hold his office for one year; and shall elect a superintendent of said work house, who shall have charge of said work-house, and the premises connected therewith, and shall oversee the work of the convicts according to the rules and regulations of said work-house. He shall reside in said work-house and receive a salary not exceeding forty dollars per month, and his fuel and gas, and shall receive any sum not exceeding forty cents per day for board for each prisoner confined therein, and shall hold his office at the pleasure of the board. Such additional guards may be provided from time to time as the board may deem proper for safety, and to enforce the discipline of said work-house.

SECTION 11. When a person is committed to said work-house in default of payment of a fine, penalty or costs, he shall be allowed the sum of sixty cents per day credit on such fine and costs, for each day he is confined in said work-house, and obeys the orders, rules and regulations thereof; and the directors shall make such rules as they deem proper to credit prisoners with time for good behavior while confined therein.

If a person confined therein pay, in whole or in part, the fine and costs assessed against him, the superintendent of said work-house shall receive the same; and if the amount so paid is sufficient to pay amount due on the fine and costs assessed, shall discharge the prisoner and remit the same forthwith to the treasurer of said county when committed by an officer other than the mayor of the city of Xenia; in all other cases he shall pay the same to the mayor, taking duplicate receipts therefor in all cases, one of which he shall deposit with the clerk of said board; but no person committed or held in default of fine or costs of any prosecution shall be released under the laws providing for relief of insolvent debtors.

SECTION 12. The board shall have the same powers, perform the same duties, and be governed by the same regulations, as far as applicable, in the maintenance, erection or enlargement of any building or shops, for work purposes, or in making any addition thereto, or in the improvement or management of the grounds therewith connected, and in the management of the affairs thereof, and in care of convicts therein, as are conferred upon, and required of,

the board of directors of houses of refuge and correction as provided by law, and in all cases not provided for in this act, the laws governing similar institutions shall govern.

SECTION 13. The board shall have power to discharge, for good and sufficient cause, a person committed to such work-house, but a record of all such discharges shall be kept and reported to the council of said city and the commissioners of said county, in the annual report of the board, with a brief statement of the reasons therefor.

SECTION 14. The superintendent, assistant superintendent and guards of the work-house, shall have such powers as policemen as may be necessary for the proper performance of the duties of their position.

SECTION 15. The commissioners of said county shall levy a tax, for the purpose of meeting the county's share of the expense of maintaining such work-house on all the taxable property in the county, not in the city of Xenia; and the council of said city shall levy a tax on all the taxable property of said city of Xenia to meet the city's share of maintaining said work-house, which amount so raised shall be credited to the work-house fund of said city.

SECTION 16. The board of directors shall have power to purchase material to employ the convicts at labor, and shall sell the products thereof at the best price possible, and the money arising from such sales shall be placed to the credit of the work-house fund.

SECTION 17. The clerk of the city of Xenia shall be the clerk of said board, and shall keep the records of said board and the books of said work-house, and make out all the reports required by law and such others as the board may direct, and shall receive for such services the sum of ten dollars per month, payable out of the work-house fund.

SECTION 18. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 10, 1886.

[House Bill No. 257.]

AN ACT

To authorize the commissioners of Holmes county, Ohio, to lease rooms in the basement story of the county court house of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Holmes county, Ohio, be and are hereby authorized and empowered to lease from year to year, or for term of years, the rooms in the basement story of the county court house of said county; said apartments to be used for office purposes only.

SECTION 2. Said commissioners are hereby authorized, empowered and required to collect the rents accruing from said offices, and pay the same into the county treasury of said county, on the warrant of the county auditor of said county.

SECTION 3. This act to take effect and be in force after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 10, 1886.

[House Bill No. 163.]

AN ACT

For the relief of John Patterson, treasurer of Ames township, Athens county, Ohio, and his official sureties, James Patterson and B. A. Ellis.

WHEREAS, On the 30th day of September, A. D., 1885, John Patterson was the treasurer of Ames township, Athens county, Ohio; and

WHEREAS, As such treasurer, he, at the date mentioned, was the custodian of one thousand three hundred and ninety-two and 64-100 dollars ($1,392.64) of the school and township funds of said township, which funds were kept in a "fire and burglar-proof" safe belonging to said Patterson; and

WHEREAS, On the date named said safe was broken open and said sum stolen therefrom; and

WHEREAS, One hundred and sixty-eight of the qualified electors of said township, (267 being the total number of votes cast at the last State election,) have petitioned this General Assembly to relieve the said John Patterson and his official sureties, James Patterson and B. A. Ellis; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the said John Patterson, and the said James Patterson and B. A. Ellis, sureties on the official bond of the said John Patterson as treasurer aforesaid, be and they hereby are released from the payment of said sum of $1,392.64 to said township or any officer or officers thereof, and are hereby relieved from all liability for the sum so stolen.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 10, 1886.

[House Bill No. 224.]

AN ACT

To authorize the village of Canal Fulton, Stark county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Canal Fulton, Stark county, be and it is hereby authorized to transfer certain funds as follows: One hundred and seventy-five dollars from the sinking fund to the fire fund of said village, and two hundred and seventeen dollars and eighty-five cents from the sinking fund to the street fund of said village.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 10, 1886.

[House Bill No. 221.]

AN ACT

To authorize the council of the incorporated village of Botkinsville, Shelby county, to borrow money and issue bonds for the purpose of building town hall and engine house for said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of Botkinsville, Shelby county, Ohio, be and are hereby authorized to borrow money and issue the bonds of said village, not to exceed twenty-five hundred dollars, at a rate of interest not exceeding six per cent., payable semi-annually, and to run not exceeding ten years, and to be of denominations not less than two hundred dollars, for the purpose of building town hall and engine house, and the said council shall have power to levy a tax on all taxable property within said village for the purpose of paying said bonds and the interest thereon; said bonds shall be signed by the mayor and clerk of said village, and shall not be sold for less than their par value.

SECTION 2. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 10, 1886.

[House Bill No 265.]

AN ACT

To fund certain indebtedness of the village of Georgetown therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Georgetown, Brown county, Ohio, is hereby authorized to issue bonds of said village in a sum not exceeding twelve thousand dollars, in denominations not less than fifty nor more than one thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to run such time as council may by ordinance prescribe, not exceeding twenty years from date.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall be sold at public or private sale at not less than their par value, and may be sold at such times and in such amounts, from time to time, as will best subserve to carry out the purpose for which they are issued.

SECTION 3. The proceeds of such bonds shall be used for the purpose of purchasing and paying all bonds or other indebtedness of said village, outstanding, which may be drawing a rate of interest exceeding six per cent., and for paying costs and expenses of the Market and North streets improvements in said village.

SECTION 4. If any bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village, and said council is hereby authorized, annually, thereafter, until the same and the interest thereon shall be paid, to levy a tax on all the taxable property of said village sufficient to provide for the payment of the interest accruing on the bonds so issued, and

to create a sinking fund for the payment of the principal of the bonds as they fall due.

SECTION 5. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 10, 1886.

[House Bill No. 155.]

AN ACT

To authorize the county commissioners of Franklin county to aid and assist the Franklin county ex-soldiers' and sailors' association to build a monument to the deceased soldiers and sailors of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Franklin county be and they are hereby authorized to levy a tax upon all the taxable property of said county sufficient to raise the sum of ten thousand ($10,000) dollars, and the interest on the same as hereinafter provided, in addition to all other taxes now provided for by law. That said sum of ten thousand dollars be used and expended by the commissioners of said county to aid and assist the Franklin county ex-soldiers' and sailors' association of said county to build a monument on the lot now owned by said association in Green Lawn cemetery, in the city of Columbus, commemorative of the services, patriotism, and valor of the soldiers and sailors of the union army and navy in the war of the rebellion, who may be interred in said cemetery.

SECTION 2. All plans and specifications for said monument shall be submitted to and approved by the board of commissioners of said county and the trustees of said association, at a joint meeting to be held for that purpose, at such time and place as the said commissioners may designate, and the construction of said monument shall be contracted for by said commissioners and said trustees acting jointly, and the same supervised by such person or persons as may be selected by said commissioners and trustees. All bills of expense incurred in constructing said monument shall be paid out of said fund of ten thousand dollars, so far as the same may be sufficient therefor, but only upon vouchers approved by said commissioners and trustees.

SECTION 3. For the purpose of raising the money mentioned in section one of this act, the said commissioners of Franklin county are hereby authorized to issue the bonds of said county not exceeding said sum specified, payable in two years, with six per cent. interest per annum, the said bonds to be sold for not less than their par value. Said bonds when issued shall be signed by the said commissioners and countersigned by the auditor of Franklin county, who shall keep a record of the same, to whom issued, when payable, date thereof, and when redeemable.

SECTION 4. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 10, 1886.

[House Bill No. 25.]

AN ACT

To authorize the board of education of Washington township, Montgomery county, Ohio, to borrow money and issue bonds therefor, to pay for a school-house erected under contract with said board, and for furnishing the same.

WHEREAS, The board of education of Washington township, Montgomery county, Ohio, having first duly advertised for bids as provided by law, heretofore entered into a contract with John W. Rison and William H. Puls, as the lowest responsible bidders, pursuant to which said Rison and Puls have erected, and are now about completing, a school building upon lands belonging to said board in said township; and

WHEREAS, There is urgent necessity that said building should be immediately furnished and prepared for occupation by the school for which the same is intended; and

WHEREAS, By reason of certain alleged informalities in the bids for the same, doubts have been suggested whether said contract was in strict conformity to the statute; in consequence whereof, the auditor of said county has failed to assess upon the taxable property of said township, and enter upon the tax lists of said county, for collection, the amount estimated and levied by said board for the purpose of erecting and furnishing said school building, and said board is without money to pay for the same; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the said board of education of Washington township, Montgomery county, Ohio, be authorized to borrow the sum necessary to pay the indebtedness incurred by said board to said Rison and Puls for the erection of said school building and the expenses of furnishing the same, and, for that purpose, is hereby authorized and empowered to issue bonds to the amount of, not exceeding, thirty-five hundred ($3,500) dollars.

SECTION 2. Said bonds shall be issued at such times and in such sums as said board of education think proper, and shall be made payable at any time within five years, and shall bear interest not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value; and the same shall be signed by the president of said board and countersigned by the clerk thereof, who shall keep a record of the same.

SECTION 3. Said board shall cause to be levied a tax, in addition to the tax now authorized by law, to be levied on the taxable property of said township, to be applied to the payment of said bonds and interest, sufficient to pay said bonds as they become due with the interest thereon, which tax shall be placed on the tax duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said township.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 12, 1886.

[House Bill No. 290.]

AN ACT

To authorize the board of education of the village of Wapakoneta, Auglaize county, Ohio, and the territory annexed thereto for school purposes, to borrow money and issue bonds therefor for the purpose of erecting and furnishing a school house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village school district of Wapakoneta, Auglaize county, Ohio, and the territorry annexed thereto for school purposes, be and they are hereby authorized to purchase, in the second ward of said village of Wapakoneta, a site and erect thereon and furnish a school building which shall be free to the use and benefit of all the youth of school age in said school territory for school purposes; provided, that the cost of purchasing said site and the erection and furnishing of said school building shall not exceed the sum of seven thousand five hundred dollars.

SECTION 2. That for the purpose aforesaid the said board are hereby authorized to issue bonds, not exceeding seven thousand five hundred dollars in amount, to be signed by the president and attested by the clerk of said board, in sums of not more than one thousand dollars, or less than five hundred dollars, bearing interest at a rate not exceeding six per cent. per annum, payable annually or semi-annually, as the board may direct, at the office of the treasurer of said school board, said bonds to be payable at such time or times, not exceeding six years nor less than two years from the date thereof as said board may determine; said bonds shall be sold for not less than their par value, and said bonds may, at the discretion of the board, have coupons attached.

SECTION 3. Said board of education shall annually thereafter, cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereof as the same shall become due, in the manner provided by law for the levying and collection of taxes for school and school-house purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 12, 1886.

[House Bill No. 309.]

AN ACT

To authorize the school board of Marion township, Marion county, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the school board of Marion township, Marion county, Ohio, be and is hereby authorized to transfer two thousand dollars from the tuition fund to the contingent fund.

SECTION 2. This act shall be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 12, 1886.

[House Bill No. 313.]

AN ACT

To amend an act passed April 17, 1880, "to create a special school district in the township of Madison, Elkrun and St. Clair, in the county of Columbiana."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act passed April 17, 1880, to create a special school district in the township of Madison, Elkrun and St. Clair, in the county of Columbiana, be so amended as to read as follows: That there is hereby created a special school district to be composed of the following territory, to wit: Sections 1, 2, 3 and all of section 4, except lands of John March; all section 9, except lands of Frank Burbright, William McLane, deceased, S. H Kirkbride, Thos. McCartney and William Hostetler; sections 10, 11, 12, 13, 14, 15 and all of section 16, except lands of John Travis, John Vanfossan, Jacob Vanfossan and Robert Miller; section 24, and the north-east quarter of section 25, in the township of Madison, and all of the territory originally embraced in the joint sub-district known as No. 7 in Elkrun and No. 7 in St. Clair township. Said special district shall be known as Madison township special school district No. 2. But no change of the lines of the several sub-districts and joint sub-districts as now existing, shall be made for at least five years from the passage of this act.

SECTION 2. That original act passed April 17, 1880, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 12, 1886.

[House Bill No. 321].

AN ACT

To authorize the board of education of the village of Willshire, Van Wert county, Ohio, to issue bonds to pay existing debts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of Willshire, Van Wert county, Ohio, be and the said board is hereby authorized and empowered to issue bonds for an amount not exceeding one thousand dollars, payable at such time, not exceeding ten years, as said board may determine. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi annually, and shall be issued in such amounts as the board shall determine. Said bonds shall not be sold for less than their par value, and the funds arising from the sale thereof shall be used only in payment of the present indebtedness of said school district.

SECTION 2. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 12, 1886.

[House Bill No. 348.]

AN ACT

For the relief of W. H. A. Raudebaugh, treasurer of the village of Bellville, Richland county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Bellville, Richland county, Ohio, are hereby authorized to release W. H. A. Raudebaugh and his official sureties in their official bonds as treasurer of said village from the payment of three hundred and fifty dollars belonging to the funds of said village, upon the assignment, transfer, and delivery by the said W. H. A. Raudebaugh to said council the certificate of deposit issued to him for the said funds by the Exchange bank; provided, that said village council shall submit said proposition to so release to the qualified electors of said village at the first general spring election after the passage of this act, and provided, that ten days' notice of said election shall be given and a majority of the electors shall vote in favor of said release.

SECTION 2. It shall be the duty of said council to provide a special ballot-box for such ballots, and the form of the ballot shall be as follows: "For release—Yes;" "For release—No;" and the said council shall make due return of the result of said election to the auditor of said Richland county, who shall file the same in his office.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[Senate Bill No. 100.]

AN ACT

To authorize the city council of the city of Lima, Ohio, to issue bonds to complete the system of water-works in course of construction in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Lima, in the county of Allen, State of Ohio, be and is hereby authorized and empowered to issue the bonds of said city, in addition to the amount heretofore by law authorized to be issued, in any sum necessary to complete said system of water-works now in course of construction in said city, but in no case exceeding one hundred and fifty-six thousand dollars, bearing interest at a rate not exceeding five (5) per cent per annum, payable semi-annually, and be of such denominations as the city council shall by resolution prescribe, but not less than one hundred dollars, nor more than one thousand dollars each, and said bonds shall be made payable within thirty (30) years from the date of their issue by said city council, and which bonds shall not be sold for less than par in cash; the money arising from the sale of said bonds shall be used for the purpose of completing in such way and manner as may be found necessary the system of water-works now in course of construction in and for said city, and for no other purpose or use whatsoever; the said bonds shall be signed by the president of said council, and attested by the clerk thereof, and the seal of said city, and when said bonds are sold, the proceeds shall be paid to the treasurer of said city, who shall hold and disburse said proceeds as other city funds are by him held and disbursed.

SECTION 2. When such bonds of said city are issued as hereinbefore provided, it shall be the duty of the city council of such municipal corporation, annually thereafter, until the same and the interest thereon shall be fully paid, to assess and levy a tax on all the taxable property of the corporation, sufficient to provide for the payment of the interest accruing upon the bonds so issued, and to create a sinking fund for the payment of the principal of the bonds as they fall due.

SECTION 3. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No. 360.]

AN ACT

To divide Pultney township, Belmont county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Pultney township, Belmont county, Ohio, be divided into two election precincts, and said two election precincts shall be known as the Bellaire and West Wheeling precincts of said township, and shall be divided as follows, to-wit: The West Wheeling precinct shall include all the territory within sections thirty-two, twenty-six and twenty in said township and the elections in said precinct shall be held at West Wheeling; the Bellaire precinct shall include all of the territory of said township not included in said sections thirty-two, twenty-six, and twenty, and the elections in said precinct shall be held at Bellaire.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No. 311.]

AN ACT

To provide for the transfer of certain funds in Mark township, Defiance county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Mark township, Defiance county, Ohio, are hereby authorized to transfer five hundred dollars ($500) of the bridge fund of said township to the general township fund.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No: 297.]

AN ACT

To authorize the common council of the city of Cleveland to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the common council of the city of Cleveland be and the same is hereby authorized to transfer the sum of fifteen hundred dollars from the general fund to the hospital fund.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No. 310.]

AN ACT

To divide Madison township, Clarke county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Madison in the county of Clarke, State of Ohio, be and the same is hereby divided into two election precincts as follows: Commencing at the point where the [original] west line of the South Charleston union school district intersects the north line of Greene county, running thence northwesterly in a direct line to the point where the old Springfield road crosses the Miami river at a point known as Buff's bridge; thence west with the south bank of said river to the east line of Greene township in said county of Clarke; thence south with said line of Greene township to the north line of Greene county; thence east with the last named line to the place of beginning. All that portion of said Madison township included within the foregoing description shall constitute a separate election precinct designated as Selma precinct, and the residue of said township shall constitute a separate election precinct designated as South Charleston precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No. 400.]

AN ACT

To create additional election precincts in the Howard and Nelsonville election precincts in York township, Athens county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all of sections thirteen, fourteen, fifteen, sixteen, nineteen, twenty, twenty-one, twenty-two, twenty-five, twenty-six, twenty-seven, twenty-eight, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, and thirty-six, and all that part

of sections seventeen, eighteen, twenty-three, twenty-four, twenty-nine, and thirty, lying outside the corporate limits of the village of Nelsonville, (all of said sections lying in York township, Athens county), shall constitute an election precinct, to be known and designated as the Howard precinct, and the elections for said Howard precinct shall be held at such place as the trustees of said township of York shall designate.

SECTION 2. That all that part of the village of Nelsonville which lies west of the east line of one hundred acre lot numbered six hundred and forty-four, shall constitute an election precinct to be known as the first ward; all that part of said village lying between the east line of one hundred acre lot numbered six hundred and forty, and the west line of one hundred acre lot numbered six hundred and forty three, shall constitute an election precinct to be known as and designated the second ward; and all that part of said village lying between the east line of one hundred acre lot numbered six hundred and forty, and the eastern boundaries of said village of Nelsonville shall constitute an election precinct to be known as and designated the third ward; and that the place of holding elections in each of said three wards shall be fixed by the municipal council of said village.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No. 232.]

AN ACT

To amend an act entitled "an act to divide Gilead township, Morrow county, into two election precincts," passed February 28, 1884, (vol 81, p. 239.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1 of the above recited act be so amended as to read as follows:

SEC. 1. That the township of Gilead in the county of Morrow, be and the same is hereby divided into three election precincts, as follows: The first shall be called the Edison precinct and shall embrace all of said township lying west and north of the following line, to-wit: Commencing at the Washington township line at the center of section fifteen (15), thence running south through sections fifteen, twenty-two, twenty-seven and thirty-four, into and along the center line of section three to the south-east corner of the north half of the south-west quarter thereof; thence west to the south-west corner of section two, township five of range seventeen. The second shall be called the "North precinct," and shall embrace all of said township east of "Edison precinct," and north of the Marion and Mount Vernon public road, running through the north public square of the village of Mount Gilead. The third shall be called the "South precinct," and shall embrace all of said township east of Edison precinct and south of said Marion and Mount Vernon road.

SECTION 2. That said original act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[House Bill No. 161.]

AN ACT

To authorize the commissioners of Hamilton county, Ohio, to build an addition to Longview Asylum in said county, and to issue bonds and levy taxes therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county be and they are hereby authorized and empowered to build an addition to Longview Asylum, and borrow money to pay for the same, not to exceed the sum of one hundred thousand dollars.

SECTION 2. That to secure the payment of the amount so borrowed, with interest, the said commissioners are authorized to issue and sell the bonds of said county, (with coupons for the interest), payable in thirty years, and redeemable after twenty years from date. Said bonds shall be denominated "Longview Asylum Improvement Bonds," and shall be for the sum of $500.00 each, payable to bearer, and bear interest at a rate not exceeding five per centum, payable semi-annually. Said bonds and coupons shall be signed by the county commissioners and countersigned by the auditor of said county, and in making sale of said bonds the said commissioners shall be governed by the provisions of the act passed March 22, 1883, (Ohio Laws, vol. 80, p. 68,) entitled "an act providing for the sale of public bonds."

SECTION 3. The commissioners of said county shall annually, at their June session, levy such amount of taxes as will pay the interest on such bonds, and create a sinking fund sufficient to redeem the same at maturity, not exceeding for said sinking fund three and one-third per centum per annum, on the total indebtedness, and all taxes levied and collected under the provisions of this act shall be applied exclusively for the purpose for which they are levied.

SECTION 4. That if on the completion of said addition there is any unexpended balance of said fund, it shall be placed and kept to the credit of the sinking fund provided by this act.

SECTION 5. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 17, 1886.

[Senate Bill No. 89.]

AN ACT

To authorize the commissioners of Henry county to improve the roads of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Henry county, Ohio, be and hereby are authorized and empowered to improve by grading, draining and graveling, or macadamizing, or both, any state or county road, or part thereof, within the said county, and to levy therefor a tax on all the taxable property of said county, or any township thereof, listed on the general duplicate for taxation, not to exceed in any one year five mills, for not exceeding fourteen (14) years, in manner and upon conditions hereinafter specified and prescribed.

SECTION 2. The roads improved under the provisions of this act, shall be not more than sixty nor less than thirty feet wide, shall be graded so as to drain

freely to the sides, and the macadamizing or graveling, or both, when completed, shall not be less than ten nor more than sixteen feet in width, nor less than ten inches thick in the center, and not less than six inches thick at the sides; the roads shall be well provided with all necessary side drains and other ditches providing an outlet for the drainage of the road bed.

SECTION 3. To anticipate the receipts which may come into the county treasury by virtue of such tax, the county commissioners may borrow such sum of money as shall not exceed nine-tenths (9-10ths) of the tax levied or to be levied, at a rate of interest not to exceed six (6) per cent. per annum, interest payable semi-annually, and issue bonds therefor in sums of not less than one hundred nor more than one thousand dollars ($1,000.00) each, payable at such times and places as may be determined by said board of county commissioners; but no bond shall extend beyond a period of fifteen years, and shall not be sold for less than their par value.

SECTION 4. If any person or persons shall desire to raise any sum of money by subscription, for the purpose of assisting in the improvement or construction of any road or part of a road, in any township or townships in said county, under the provisions of this act, such person or persons shall subscribe any amount, and designate in such subscription the road or part of the road for which the subscription is made; and such subscription shall be filed with the commissioners of said county, at a regular session; and the commissioners shall, if they deem the construction or improvement proper and expedient, file said subscription list with the county auditor; and such subscription shall be payable to the county treasurer upon the warrant of the county auditor within a time limited therein; and when due and unpaid, the said auditor shall charge the same upon the general tax duplicate of said county against the property of such subscriber or subscribers, which shall be a lien upon all their real estate in such township, and the same may be made payable in installments, and with such other regulations as the commissioners may prescribe, and be collected the same as taxes. And any subscription by persons not residing within the township in which such improvement is made, and not owning property in such township, the said commissioners may collect by suit in any court of competent jurisdiction.

SECTION 5. The money so collected, borrowed or subscribed, shall be expended under the direction of said county commissioners, in such manner as shall seem to them most advantageous to the interest of such township or townships as hereinafter provided, for the graveling, macadamizing, or for the construction, re-construction, or repair of such principal highways of said county as have been selected for improvement.

SECTION 6. Before the commissioners shall make any levy under this act, there shall be presented to them a request in writing, signed by not less than fifty resident tax-payers of any township in which it is proposed to levy such tax, and the said commissioners shall then submit the question of accepting or rejecting the provisions of this act, to the qualified electors of such township or townships at a regular election, after giving at least ten days' notice thereof, by posting in ten (10) of the most public places in such township or townships, written or printed notices. The tickets to be voted at any election at which said question shall be submitted, shall have written or printed thereon the words, "Road improvement—Yes;" or, "Road improvement—No;" and returns of such election shall be made by the officers thereof, within five (5) days to the county commissioners.

SECTION 7. The township or townships in which, at any election held under the provisions of this act, there shall be a majority of all of the lawful votes cast on the question, against road improvements, shall be exempt from

the operation of this act; and this act shall be confined in its operations to the township or townships only in which a majority of the lawful votes cast on the question shall be in favor of said question. And bonds, as aforesaid, shall be issued in proportion to the property valuation and tax levy of the township or townships accepting the provisions of this act; and no levy shall be made in any township not so affirmatively voting.

SECTION 8. If at any time after one (1) year from any election which shall be held under the provisions of this act, fifty (50) or more tax-payers of any township shall, by written notice to the county commissioners, request an election to be held within such township for the purpose of voting upon the question of accepting or rejecting the provisions of this act, the county commissioners shall, at least ten days before the next general election, proceed to give notice of such election, as is provided in section six (6), which election shall be held and returns thereof made in the same manner as is prescribed in section six (6) of this act.

SECTION 9. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed March 24, 1886.

[House Bill No. 108.]

AN ACT

To authorize the trustees of section No. 16 of Morgan township, Gallia county, to release and cancel certain debts.

WHEREAS, The lessees of section No. 16 in Morgan township, Gallia county, Ohio, have become delinquent in the payment of their rental to the amount in the aggregate of $1,103.33; and

WHEREAS, Said lessees are unable to pay said delinquent rent on account in part of extreme poverty of the land, and on account also of certain complications existing between them and the trustees of said section 16; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of section No. 16, Morgan township, Gallia county, Ohio, be and they are hereby authorized and empowered to release, compromise or cancel the debt owing and due to said township from the lessees of section sixteen (16) of said township on account of non-payment of rent.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed March 24, 1886.

[House Bill No. 116.]

AN ACT

To authorize the county commissioners of Perry county to issue bonds and levy taxes for the purpose of building a court house and jail, and acquire additional grounds if necessary for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Perry county are hereby authorized to acquire by purchase or otherwise, as may be provided by law, grounds additional to those now occupied by the court house and jail, if in their judgment said additional grounds are necessary, and they shall forthwith determine upon plans and specifications for a court house and jail to be erected upon said grounds so occupied, or upon those and any additional grounds acquired and let a contract or contracts according to law for the construction of the same, which contract or contracts shall require the said structures to be completed as soon thereafter as practicable, at a cost not to exceed ninety-five thousand dollars.

SECTION 2. That the commissioners of said county, for the purpose of building said court house and jail, are hereby authorized to issue the bonds of said county for any sum not greater than ninety-five thousand dollars, as they may determine, and in denominations not less than one hundred nor more than one thousand dollars, and payable at such times as the commissioners may prescribe within twenty years from the date of such indebtedness, said bonds to bear interest at the rate of six per centum per annum, payable semi-annually, the principal and interest of said bonds to be payable to bearer at the county treasury, said bonds to be sold for not less than their par value and accrued interest, and in such manner as the commissioners may prescribe, public notice of which and the time and place of sale shall be given by them in such newspapers in said Perry county and elsewhere as they may designate.

SECTION 3. Said bonds so issued shall be signed by the commissioners or any two of them, and countersigned by the auditor, with interest coupons attached; said bonds shall specify the object for which they are issued, of which bonds the auditor shall keep a register and record in a book to be provided by the commissioners for that purpose.

SECTION 4. For the purpose of paying the interest on such indebtedness and the principal as it matures, the commissioners shall annually, at their June session, levy a tax in addition to the taxes now authorized by law upon all the property upon the grand duplicate of said county.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed March 24, 1886.

[House Bill No. 296.]

AN ACT

To amend an act entitled "an act to authorize the village council of the incorporated village of Oberlin, Lorain county, to issue bonds for the purpose of providing said village with a system of public water works," passed March 15, 1883, (O. L., vol. 80, p. 268).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act entitled "an act to authorize the village council of the incorporated village of Oberlin, Lorain county, to issue bonds for the purpose of providing

said village with a system of public water works," be so amended as to read as follows: The village council of the incorporated village of Oberlin, Lorain county, Ohio, are hereby authorized to issue the bonds of said village in the sum of not exceeding fifty thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, for the purpose of providing said village with a system of public water works.

SECTION 2. Said bonds shall be signed by the mayor, and countersigned by the clerk of said village, and shall not be sold for less than their par value. Said bonds shall be issued in such sums respectively as shall, in the judgment of the council of said village best promote the sale thereof, and at such times and in such amounts as may be deemed necessary for the proper progress of the work. The principal of each bond shall be payable at such time as the council of said village shall determine by ordinance, but within a period not exceeding thirty years.

SECTION 3. Said council are hereby authorized and required to levy a tax upon all the taxable property of said village, sufficient to provide for the payment of the interest on said bonds, and to create a sinking fund for the payment of the principal thereof as they shall respectively fall due, which tax shall not exceed four mills on the dollar in any one year.

SECTION 4. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of purchasing the necessary grounds, erecting, constructing, paying for and maintaining said water works for said village, which water works when completed shall be used, operated and controlled in such manner as may be prescribed by law, and the ordinances of said village enacted in conformity therewith.

SECTION 5. The question of issuing said bonds, levying said tax and constructing said water works for said village of Oberlin, shall be submitted to a vote of the qualified electors of said village at the regular spring election to be held on the first Monday in April, 1886, or at a special election to be ordered for that purpose, as the council of said village may determine, to be held at the usual place of holding elections in said village. The tickets to be voted at said election shall have written or printed thereon the words "Water Works—Yes;" or "Water Works—No." If a majority of the votes cast at said election on said proposition contain the words "Water Works—Yes," then the council shall proceed to issue said bonds and construct said works and not otherwise; provided, that ten days' previous notice shall be given of the time and place of holding said election, by publication in one newspaper of general circulation in said village.

SECTION 6. The act entitled "an act to authorize the village council of the incorporated village of Oberlin, Lorain county, to issue bonds for the purpose of providing said village with a system of public water works," passed March 15, 1883, is hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

JNO. O'NEILL,
President pro tem. of the Senate.

Passed March 24, 1886.

[House Bill No. 332.]

AN ACT

Authorizing the incorporated village of Harmar, Washington county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Harmar, Washington county, Ohio, be and is hereby authorized to transfer from the moneys now to the credit of the landing fund, three hundred and fifty dollars ($350) to the road fund of said village, and the sum of three hundred dollars and seventeen cents from the street fund of said village to the road fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed March 24, 1886.

[House Bill No. 354.]

AN ACT

To authorize the commissioners of Clermont county to construct a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Clermont county, Ohio, are hereby authorized and required to construct a free turnpike road; beginning at the intersection of the Goshen and Hill's Station free turnpike, now in process of construction, with the west end of George street, thence on the line of the Goshen and Lebanon road about six hundred feet, and without the limits of the corporation of the village of Goshen, to intersect the Cincinnati, Columbus and Wooster turnpike at Haight's Corner.

SECTION 2. The said commissioners shall be governed by the provisions of sections two, three, four and five of the act passed March 29, 1882, (O. L., 1882, page 185), provided: That to carry out the original intentions of the subscribers to the twenty per cent. fund required by law of those interested in the construction of the Goshen and Hill's Station free turnpike, the said twenty per cent. shall be applied, proportionately, to the construction of the Goshen and Hill's Station free turnpike and the free turnpike herein authorized to be built by this act.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed March 24, 1886.

[Senate Bill No. 79.]

AN ACT

To authorize the commissioners of Ashland county, Ohio, to pay certain fees and expenses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Ashland county, Ohio, be and they are hereby authorized to pay to Isaac Gates, the ex-sheriff of said county, for his extra and necessary trouble, care, attention and expense in and about the summoning of jurors, taking care of, watching and execution of George Andrew Horn and William Henry Gribben, such sum as in the judgment of said commissioners may be found necessary to remunerate the said Isaac Gates for services as sheriff in the above named cases, not exceeding six hundred dollars ($600).

SECTION 2. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 25, 1886.

[Senate Bill No. 80.]

AN ACT

Supplementary to an act entitled "an act to provide for rebuilding the court house in Hamilton county, Ohio, and to create a fund to pay for the same," passed April 14, 1884, (81 O. L., 362).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of trustees appointed by the governor under an act entitled "an act to provide for rebuilding the court house in Hamilton county, Ohio, and to create a fund to pay for the same," passed April 14, 1884, to further improve said court house, is hereby authorized and directed to assign and designate the several rooms and offices of the court house, to be occupied by the various courts and officers and by the law library and for other purposes, and to furnish and fit up the same ready for occupancy and use.

SECTION 2. During the term of office of said trustees no money shall be expended in thus furnishing and fitting up said court house, unless first authorized by said trustees and upon warrants signed by their chairman and clerk, to be paid by the county treasurer out of the funds hereinafter provided for, and no trustee or person holding any appointment from said board shall be interested directly or indirectly in any contract concerning the furnishing or fitting up of said court house.

SECTION 3. All contracts shall be in writing in the name of said board, and shall be signed by the chairman of the board and by the person contracted with, and no person shall recover anything for articles, supplies, or for work done, unless upon such a written contract, and then only the sum agreed upon therein; provided, said board shall have power to do work by day labor when it so elects, and in such case no written contract shall be required, but unless the direction to do such work is placed upon the minutes of said board there shall be no recovery therefor.

SECTION 4. Such furnishing and fitting up shall be in such quantities and at such times as said board may decide, and shall be with or without competitive bidding as in each instance said board may deem expedient, and in case

bids are called for, then such advertisement shall be had as the board may see proper.

SECTION 5. To create an additional fund to defray the expenses to be incurred under this act, and to be called "the court house furnishing fund," the commissioners of said county, without the concurrence of the board of control thereof, shall forthwith, upon receipt of orders of said board of trustees, certified by its chairman and clerk, from time to time, and as often as said board of trustees think necessary. borrow and pay into the county treasury, money not exceeding in the aggregate the sum of one hundred thousand dollars, in such sums, and at no greater rate of interest than may be fixed by said board of trustees and named in said orders respectively; and to secure the payment of the principal and interest thereof, the commissioners of said county shall issue the bonds of said county in the mode and manner prescribed in sections 871 and 872 of the Revised Statutes, and the act passed March 22, 1883, entitled "an act providing for the sale of public bonds," (80 O. L., 68); provided, however, that said bonds shall be issued with coupons, or registered, due in fifty years, and redeemable thirty years from date.

SECTION 6. The commissioners of said county shall annually, at their June session, levy such amount of taxes as will pay the interest on said indebtedness, and create a sinking fund sufficient to redeem the same at maturity, not exceeding for said sinking fund two per centum per annum on the total indebtedness; and if the commissioners refuse or neglect to levy such taxes as herein provided, the county auditor shall levy such taxes upon the taxable property of the county, and place the same upon the tax list; and all the taxes levied and collected under the provisions of this act shall be applied to the specific object for which they are levied, and no part of said sinking fund shall be transferred or applied to any other purpose, but the same shall be invested and preserved in the bonds of said county, or of the State of Ohio, or of the city of Cincinnati.

SECTION 7. Said trustees shall keep possession and control of the court house until the same is completed, and until all contracts made by virtue of said original act and of this act and all liabilities thereon are closed and settled; provided, that from time to time, as portions of said court house are completed and furnished, said trustees may turn the same over to the care and custody of the county commissioners.

SECTION 8. Said trustees shall not be individually responsible to any contractor upon any contract or employment made in pursuance of this act, nor to any person upon any claim occasioned by any act or default of any person contracted with or employed by them in pursuance of this act.

SECTION 9. Whatever money from the sale of bonds issued by order of said trustees remains in the county treasury unexpended after all contracts made and liabilities incurred hereunder have been settled and paid, shall be placed and kept to the credit of the sinking fund herein provided for.

SECTION 10. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY.
President of the Senate.

Passed March 25, 1886.

[House Bill No. 90.]

AN ACT

To authorize the commissioners of Brown county to lay out and improve the road leading from Brownstown to New Hope.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Brown county be and are hereby authorized, as hereinafter provided, to lay out and improve the road leading from Brownstown to New Hope, in said county, by straightening, grading, graveling, and macadamizing the same, beginning in said town of Brownstown at the end of the turnpike road leading from Sardinia to said Brownstown, and ending at the free turnpike road in said town of New Hope.

SECTION 2. Upon the presentation of a petition, signed by five or more freeholders, whose lands will be assessed to pay their portion of the costs and expenses of said improvement, asking for the same, said commissioners shall appoint three disinterested freeholders of said county as viewers, and a competent surveyor or engineer to proceed to examine, view, lay out and straighten said road, as in their opinion public convenience and utility require.

SECTION 3. The auditor of said county shall notify the viewers and surveyor of the time and place of their meeting to make the view, and shall also give notice by publication in a weekly newspaper, published in said county, for three consecutive weeks prior to said meeting, which notice shall state the time and place of meeting, the kind of improvement asked for, and the place of beginning and termination.

SECTION 4. The viewers and surveyor or engineer shall meet at the time and place appointed by said commissioners, and after taking an oath faithfully and impartially to discharge the duties of their appointment, shall take to their assistance two suitable persons as chain carriers, and one marker, and shall proceed to view, examine, lay out and straighten said road, as in their opinion public utility and convenience require, and shall determine and assess the compensation to be allowed, and the damages sustained by any person or persons through whose premises said road is proposed to be laid out, straightened and improved, or whose property is appropriated for that purpose, but said viewers shall not be required to assess damages or compensation in favor of any person, except minors, idiots or lunatics, in consequence of the appropriation of any private property for the making of said improvement, unless the owner thereof file a written application with said viewers, giving a description of the premises for which compensation and damages are claimed by him. All applications for compensation and damages shall be barred, unless they be presented as above required.

SECTION 5. Any person feeling aggrieved by the assessment of damages and compensation, as provided in section four of this act, may within thirty days after said improvement is ordered, appeal to the probate court of said county, where the same shall be tried by jury, and the same proceedings had, and like orders and judgments rendered, as are provided by law for the appropriation of private property for public uses in other cases, and the guardian of any minor, idiot, or insane person may act for his ward, and his acts shall be binding upon such ward.

SECTION 6. Said viewers and surveyor or engineer shall make report of said contemplated improvement, the damages and compensation claimed, and by whom, the amount assessed to each claimant, an estimate of the expense of said improvement, and the lots and lands which will be benefited thereby, and which

lie within one mile of said improvement, and the distance of one mile shall be computed in any direction from either side or terminus of said improvement.

SECTION 7. When said report is filed, said commissioners shall, if in their opinion public utility or convenience require it, enter an order on their records that said improvement be made, which order shall designate the kind and character of the improvement to be made, and the lands and lots which shall be assessed for the expense thereof, but such order shall not be made until a majority of the resident land and lot holders of said county, whose lands and lots are reported as benefited by said improvement, and ought to be assessed, subscribe a petition, asking for said improvement to be made. In determining such majority, minor heirs shall not be counted for or against said improvement, unless represented by a legal guardian, and the action of said guardian shall be binding upon such minor heirs.

SECTION 8. If at any time after making such order, said commissioners find that there has been an omission of lands or lots within the territory sought to be assessed, or that there has been manifest injustice in the apportionment of assessments, they may make such additions and corrections as they deem just and proper.

SECTION 9. After making the order for said improvement, said commissioners shall appoint a competent engineer to superintend the performance and completion of the work, who shall, with the approval of said commissioners, make a contract for the performance of the work, under the supervision of the engineer, but the improvement shall be let by sealed bids, or at public outcry, and to the lowest and best bidder, who shall give security for the performance of his contract, within the time and in the manner prescribed by said commissioners.

SECTION 10. When said improvement is ordered, said commissioners shall immediately appoint three disinterested freeholders of said county, who shall upon actual view of the premises, apportion twenty-five per cent. of the estimated expense thereof, upon the real property embraced in said order, according to the benefit to be derived therefrom, and shall make report of said apportionment to said commissioners, who shall, unless the same is set aside upon exceptions filed thereto, approve and confirm said reports. Said auditor shall, annually, place upon the tax duplicate of said county such portion of said assessments as said commissioners may order, and shall place said duplicate in the hands of the treasurer of said county, who shall proceed to collect said assessments in the same manner as other taxes and assessments, and shall have the same remedies for their collection as is provided by law for the collection of other taxes and assessments.

SECTION 11. To pay the remainder of the costs and expenses of said improvement, said commissioners shall levy an additional tax on all the taxable property in said county, not exceeding one mill on the dollar in any one year.

SECTION 12. Said commissioners may, in anticipation of the collection of said assessments and taxes, issue the bonds of said county, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, which bonds shall not be sold at less than their par value, and the time of their payment shall not extend beyond ten years.

SECTION 13. The duties of the commissioners, auditor and treasurer of said county and of all other persons or boards, appointed under this act, except as herein provided, shall be the same as are required of such officers, persons or boards, by the provisions of title VII, chaper 8 of the Revised Statutes of Ohio, known as "two-mile assessment pikes," and the acts amendatory of and supplementary thereto, and shall receive the same compensation as is thereby provided for like services; and all the provisions of said chapter, and said amend-

atory and supplementary acts shall be applicable to this act, except as herein to the contrary provided.

SECTION 14. This act shall take effect and be in force from and after its passage.

JOHN C ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 25, 1886.

[House Bill No. 200.]

AN ACT

To change the name of Orlando McCloy to Orlando Wilson.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Orlando McCloy, a resident of Oakfield, Perry county, be and the same is hereby changed to Orlando Wilson.

SECTION 2. That such change shall in no way affect the rights or liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 25, 1886.

[House Bill No. 370.]

AN ACT

For the relief of J. H. Green, treasurer of Monroe township, Logan county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Monroe township, in the county of Logan, after having first ascertained the full amount of the loss of public funds belonging to said township, by reason of the failure of the Logan National Bank of West Liberty, are hereby authorized to submit to the qualified electors of said township, at an annual election, ten days' notice of which shall be given before the day of said election, by written or printed posters in at least ten public places in said township, the question of releasing J. H. Green, treasurer of said township, and his sureties from the loss so found to exist.

SECTION 2. That the voters of said township desiring to vote for such relief shall have written or printed upon their ballots the words: "For the relief of J. H. Green—Yes": Those desiring to vote against such relief shall have written or printed upon their ballots the words: "For the relief of J. H. Green—No."

SECTION 3. That if a majority of all the votes cast at said election shall be in favor of said release, then said trustees and board of education of said

township shall release said J. H. Green and his sureties from all liability arising from said loss.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 25, 1886.

[House Bill No. 381.]

AN ACT

To authorize the board of education of Jefferson village school district and territory annexed thereto for school purposes, Ashtabula county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Jefferson village school district and territory annexed thereto for school purposes, in the county of Ashtabula, and State of Ohio, be and is hereby authorized to borrow any sum of money not exceeding nine hundred dollars for the purpose of paying the floating debt of said board of education and maintaining the schools of said district.

SECTION 2. For the purpose aforesaid the said board is hereby authorized to issue three bonds of three hundred dollars each, payable in one, two, and three years from date respectively, and bearing interest at six per cent., payable annually. Said bonds shall be signed by the president and attested by the clerk of said board, which shall annually cause the necessary taxes to be levied to pay the interest on said bonds and to pay the principal thereof as the same shall become due, in the manner provided by law for the levying and collection of taxes.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 25, 1886.

[House Bill No. 373.]

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Brown county, Ohio, be and they are hereby authorized to construct the following free turnpike road: beginning at a point in the Ripley and Hillsboro turnpike near the residence of Leander Conn, in Union township; thence with the Georgetown road near the school-house in sub-district No. 8, near the residence of Henry Martin; thence north over the lands of

said Martin to the lands of J. M. Gilliland, to the Ripley and Arnheim turnpike near the residence of Milton Gill, said improvement to run as near the line of the old road as may be convenient and practicable.

SECTION 2. Said county commissioners may, if they deem best, issue bonds for the construction of this road; provided, said bonds bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and shall be sold according to law at not less than par.

SECTION 3. Said commissioners shall, before proceeding to construct said road, or any part of the same, require and secure from those interested in said improvement, a subscription or donation equal in amount to twenty per cent. of the cost of said improvement, to aid in the construction of the same.

SECTION 4. For the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding one-fourth of one mill on the dollar, annually, on all taxable property in said county.

SECTION 5. A majority of the said board of county commissioners shall, at a regular session, be necessary to agree upon specifications, and order said improvement, or any part thereof.

SECTION 6. This act take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 26, 1886.

[House Bill No. 304.]

AN ACT

To authorize the transfer of certain funds in the village of Kent, Portage county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Kent, Portage county, Ohio, be and is hereby empowered and authorized to transfer from the police fund of the said village, the sum of five hundred dollars, now in the treasury, to the credit of the street fund, to be used for street purposes and improvements, exclusively.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 29, 1886.

[House Bill No. 323.]

AN ACT

To authorize the board of education of Waterville special school district, of Waterville township, Lucas county, Ohio, to issue additional bonds to complete and furnish a school house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Waterville special school district, of Waterville

township, Lucas county, Ohio, be and the same is hereby authorized to issue bonds of the said district in any sum not exceeding twenty-five hundred dollars, in addition to the six thousand dollars authorized to be issued by a vote of the electors of said district on the 21st day of March, A. D. 1885, for the purpose of completing and furnishing the school house authorized to be built by the said vote of the electors of said district.

SECTION 2. Said bonds shall be issued in sums of not less than one hundred dollars nor more than five hundred dollars, and bear interest at the rate of six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value. The principal of said bonds shall be payable as said board of education may direct, not exceeding ten years from the time of issuing the same. Said bonds shall be signed by the president and clerk of said board upon the resolution of the board, and a complete record of the same shall be kept by said clerk.

SECTION 3. For the purpose of paying said bonds as the same shall mature said board of education is hereby authorized to continue the tax of twelve hundred dollars per year, authorized by the vote of the electors of said district on the 21st day of March, A. D. 1885, until said bonds are paid.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 29, 1886.

[House Bill No. 342.]

AN ACT

To divide Milton township, Wayne county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Milton township, Wayne county, Ohio, be divided into two election precincts, which shall be known as the east and west precincts of said township, and shall be divided by a line drawn north and south through said township, parallel to, and equally distant from the east and west lines of said township; and the trustees of said township are hereby authorized to designate the places of holding elections in said precincts.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 29, 1886.

[House Bill No. 439.]

AN ACT

To amend section 1 of an act entitled "an act to divide Madison township, Clarke county, Ohio, into two election precincts," passed March 17, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of the above entitled act be so amended as to read as follows:

SEC. 1. The township of Madison, in the county of Clarke, State of Ohio, is hereby divided into two election precincts as follows: Commencing at the point where the former west line of the South Charleston union school district intersected the north line of Greene county; running thence northwesterly in a direct line to the point where the old Springfield road crosses the Miami river at a place known as Buff's bridge; thence west with the south bank of said river to the east line of Greene township in said county of Clarke; thence south with the said line of Greene township to the north line of Greene county; thence east with the last named line to the place of beginning. All that part of said Madison township included within the foregoing description shall constitute a separate election precinct of said township, designated as Selma precinct, and the residue of said township shall constitute a separate election precinct of said township, designated as South Charleston precinct.

SECTION 2. That said act, passed March 17, 1886, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Pas ed March 29, 1886.

[Senate Bill No. 73.]

AN ACT

To authorize the commissioners of Hamilton county to build a certain road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county, Ohio, be and they are hereby authorized and required to assess and collect upon the general levy of all the taxable property therein, a tax not exceeding one-fifteenth ($\frac{1}{15}$) of one mill and not less than one-twentieth ($\frac{1}{20}$) of one mill on each dollar valuation thereof, one-half of which shall be assessed and collected on the tax duplicate of 1886, and the remainder on the tax duplicate of 1887, for the purpose of improving the county road in Sycamore township in said county, beginning in the Plainfield turnpike on the line between sections 19 and 20, range 1, town 4, Miami purchase, running thence westerly along the line between said sections and sections 25 and 26 to the county road leading from Reading to Pleasant Ridge; thence northerly and westerly along said county road to the east line of the town of Reading at the terminus of Benson street, to be known when improved as the Amity county road.

SECTION 2. The money arising from said tax shall be applied under the direction of the commissioners of said county, to the grading, graveling and

macadamizing of said road, and for no other purpose, unless there shall be a surplus, which, if any, shall be transferred to the bridge fund of said county.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 31, 1886.

[Senate Bill No. 101.]

AN ACT

For the relief of Jacob Kuhn, treasurer of Anderson township, Hamilton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Anderson township, Hamilton county, are hereby authorized and empowered to release Jacob Kuhn and his sureties on his official bond as treasurer of said township, from the payment of the sum of $415 lost by said treasurer in the death and failure of W. R. McGill, in whose safe the money of said treasurer was deposited for safe-keeping, and without said treasurer's knowledge appropriated by said McGill; provided, that said trustees shall submit this proposition to release to the qualified electors of said township at the regular April election, and two-thirds of the votes cast at such election are in favor of such release.

SECTION 2. It shall be the duty of said trustees, before submitting said proposition, to give ten days' notice of such election by posting the same in five public places in the township. The form of the ballots at said election shall be as follows: "For release of Jacob Kuhn—Yes," and "For release of Jacob Kuhn—No."

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 31, 1886.

[Senate Bill No. 104.]

AN ACT

To authorize the board of education of Cranberry township, Crawford county, Ohio, to borrow money for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Cranberry township, Crawford county, be and they are hereby authorized to borrow money, not to exceed six hundred ($600) dollars, for school purposes, and the board of education of said township of Cranberry is hereby authorized to issue bonds of said township for the money so borrowed, said bonds to bear interest at a rate not exceeding six per cent. per

annum, payable semi-annually, and shall not be sold for less than par value, and said bonds shall mature in one year.

SECTION 2. Said board of education shall levy such tax upon the taxable property of said Cranberry township as will provide a fund to pay the principal and interest of said indebtedness.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 31, 1886.

[Senate Bill No. 136.]

AN ACT

To authorize the council of the city of Akron to issue bonds to erect an additional fire station, to purchase necessary real estate therefor, and to purchase additional fire apparatus.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Akron be and it is hereby authorized to issue the bonds of said city in an amount not to exceed twenty thousand dollars, for the purpose of erecting an additional fire station and purchasing the necessary real estate therefor, and for the purchase of two additional fire engines and three thousand feet of hose. Said bonds shall be issued in the manner provided in chapter 2, of division 9, title 12, Revised Statutes, part first, so far as the provisions thereof are applicable.

SECTION 2. For the payment of the principal and interest of the said bonds as the same may become due, the council of said city is hereby authorized to levy a tax on all taxable property of said city.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 31, 1886.

[House Bill No. 94.]

AN ACT

To amend an act "to authorize the trustees of Pleasant township, Logan county, to purchase additional cemetery grounds for said township, improve the same, and levy additional tax to pay for the same," passed March 15, 1883, as amended March 11, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Pleasant township, Logan county, are hereby authorized and required to levy a tax on all the taxable property of said township, not to exceed five hundred dollars, for purchasing additional ground to enlarge Moor's cemetery, in said township, and to make the same a township cemetery.

SECTION 2. The tax levied by said trustees under the authority of this act,

shall be returned to the auditor of said county, and placed on the duplicate of said township, and collected as other taxes, and when so collected shall be paid to the treasurer of said township, and by him disbursed for the purpose aforesaid.

SECTION 3. This act shall take effect and be in force from and after its passage; and said original act, passed March 15, 1883, (O. L., p. 272), as amended March 11, 1884, is hereby repealed.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 31, 1886.

[House Bill No. 283.]

AN ACT

To authorize the township trustees of Wellington township, Lorain county, Ohio, to accept a donation of the library owned by the Wellington Library Association, and therewith to organize a public library therein.

WHEREAS, On the 19th day of April, A. D. 1873, a library association was organized at Wellington, Lorain county, Ohio, and was owned, managed and controlled by stockholders in said association; and

WHEREAS, Said stockholders, on the 22d day of February, A. D. 1886, at a meeting of said stockholders called for that purpose, at Wellington, it was unanimously voted that said stock, books, materials and property, belonging to said association be surrendered to the township of Wellington for the purpose of establishing a public library therein; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Wellington are hereby authorized to accept in behalf of said township said donation of the books and effects of said association which may be transferred to them, and are hereby authorized to provide a room for such library purposes, in the town hall of said town of Wellington, and are authorized to receive donations and contributions for such library, and annually to levy upon all the taxable property of said township a tax not exceeding one-fifth of a mill on the dollar valuation thereof, to be applied to the establishment and maintenance of such library.

SECTION 2. The township trustees shall appoint three trustees of said library, one for one year, one for two years, and one for three years, respectively, and thereafter shall annually appoint one trustee for the term of three years, and shall confer upon them such authority as may be necessary to render such library so established, of public utility, and said library shall be conducted and cared for under such rules and regulations as such library trustees shall prescribe.

SECTION 3. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 31, 1886.

[House Bill No. 349.]

AN ACT

To authorize the commissioners of Defiance county to issue bonds for the purpose of rebuilding a bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Defiance county, be and they are hereby authorized to issue bonds not to exceed thirty-five thousand dollars ($35,000) for the purpose of rebuilding a bridge across the Maumee river in the city of Defiance. Said bonds shall be issued in such denominations as the board of county commissioners shall determine, and shall be payable annually after fifteen years from date of issue, and shall bear a rate of interest not to exceed six per cent. per annum, and shall be sold according to law.

SECTION 2. For the payment of said bonds the levy for taxation for bridge purposes in said county shall not exceed that now authorized by law.

SECTION 3. This act shall take effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 31, 1886.

[House Bill No. 378.]

AN ACT

To authorize the board of education of the special school district of Kalida, Union township, Putnam county, Ohio, to issue bonds to pay existing debts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the special school district of Kalida, Union township, Putnam county, Ohio, be and the said board is hereby authorized and empowered to issue bonds for an amount not exceeding five hundred dollars ($500) in such denominations and payable at such time, not exceeding six years, as said board may determine. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable annually. Said bonds shall not be sold for less than their par value, and the funds arising from the sale thereof shall be used only in payment of the present indebtedness of the said school district.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 31, 1886.

[House Bill No. 394.]

AN ACT

To authorize the trustees of Wakeman township, Huron county, Ohio, to levy a tax and erect a soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Wakeman township, Huron county, Ohio, be and they are hereby authorized to levy a tax for two successive years, not to exceed in any one year two mills on the dollar on all the taxable property in said township in addition to the taxes now authorized by law, and to raise an amount of money which shall not exceed three thousand dollars, which sum, or so much of it as may be necessary, shall be applied to the erection of a soldiers' monument in said Wakeman township, and shall be expended for that purpose by the trustees of said township; provided, that the plans of said soldiers' monument and the specifications and contract for the construction and erection thereof shall be submitted to and approved by the three persons appointed in said Wakeman township, under the authority of the act [of] April 11, 1884, entitled "an act authorizing the burial of the dead body of any honorably discharged Union soldier, sailor or marine of the State, who shall hereafter die without leaving means sufficient to defray funeral expenses," (O. L., vol. 81, p. 146).

SECTION 2. The question of levying said tax and erecting said soldiers' monument shall be submitted to a vote of the qualified electors of said Wakeman township, at the annual spring election to be held on the first Monday of April, A. D. 1886, or at a special election to be held at the usual place of holding elections, after due notice has been given as provided by law in the case of other township elections. The ballots to be voted at said election shall have printed or written upon them the words, "Soldiers' Monument—Yes," or "Soldiers' Monument—No;" and if a majority of those voting upon said proposition shall have upon their ballots "Soldiers' Monument—Yes," then said township trustees shall be empowered to make a levy and erect a soldiers' monument as provided in section one of this act.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 31, 1886.

[House Bill No. 440.]

AN ACT

To authorize the commissioners of Jackson county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Jackson county, Ohio, are hereby authorized to transfer the following funds as herein specified: From bridge fund to county fund, ten thousand one hundred and thirty three dollars; from county road fund to county fund, six hundred and forty-eight dollars and sixty-three cents.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed March 31, 1886.

[House Bill No. 246.]

AN ACT

To authorize the commissioners of Guernsey county to issue bonds for the purpose of purchasing a site and building a children's home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Guernsey county, Ohio, be and they are hereby empowered and authorized to issue and negotiate the bonds of said county, not exceeding the sum of twenty thousand dollars, for the purpose of purchasing a site and building a children's home thereon, for the use of said county; said bonds to be issued in sums of not less than one hundred nor more than one thousand dollars, each to bear not to exceed six per cent. interest from date, payable annually, and not to be negotiated for less than their par value.

SECTION 2. The bonds so issued shall run from two to ten years, be signed by the county commissioners of said county, and countersigned by the auditor, who shall keep a register thereof, giving number, date, amount, rate of interest, when negotiated, to whom, and when payable.

SECTION 3. For the purpose of paying said bonds and the accruing interest thereon, as the same falls due, the said board of commissioners are hereby authorized to levy a tax upon the taxable property of said county, not exceeding two-tenths of one mill in any one year, in addition to the taxes now authorized by law, to be levied and collected as now provided for the assessment and collection of taxes in the State of Ohio.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed April 2, 1886.

[House Bill No. 442.]

AN ACT

To amend an act "to authorize the trustees of Middlebury township, Summit county, Ohio, to levy a tax and build a vault in Middlebury cemetery, near the original town of Middlebury." (Vol. 82, 352.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled an act "to authorize the trustees of Middlebury township, Summit county, Ohio, to levy a tax and build a vault in Middlebury cemetery, near the original town of Middlebury," be amended to read as follows:

SEC. 1. That the city council of the city of Akron, acting as the trustees of Middlebury township, Summit county, Ohio, are hereby authorized and empowered to levy a tax on all taxable property of said township, not to exceed in the aggregate twenty-five hundred dollars, for the purpose of building and erecting a vault on the Middlebury cemetery grounds in said township in Akron, Ohio.

SEC. 2. Before proceeding to levy said tax and build said vault, the question shall be submitted to the qualified electors of said township, at any regular election succeeding the passage of this act; at least ten days' notice of the submission of said question shall be given by notice posted at three public

places in said township; said notice shall be signed by the clerk of said city of Akron, acting as clerk of said township. Those who are in favor of erecting said vault and levying said tax shall have written or printed on their ballots the words "Cemetery vault—Yes;" those opposed, the words "Cemetery vault—No." If a majority of all the voters voting at said election shall vote "Cemetery vault—Yes," it shall be the duty of said city council, as trustees of said township, to erect said vault and levy the tax as hereinbefore provided.

SEC. 3. The tax levied by said council, as trustees of said township, under the authority of this act, shall be returned to the auditor of said county and placed on the duplicate of said township and collected as other taxes, and when so collected shall be paid to the treasurer of said city of Akron, acting as treasurer of said township, and by him disbursed for the purposes aforesaid, on the order of said city council, acting as trustees for said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 2, 1886.

[House Bill No. 466.]

AN ACT

To authorize the board of education of Wayne township, Wayne county, Ohio, to borrow money.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Wayne township, Wayne county, Ohio, be and is hereby authorized to borrow any sum of money not exceeding four hundred and twenty dollars and eighty-six cents, for the purpose of paying the loss by fire, sustained by Miller and Brenneman, contractors for the building of a school house in sub-district No. five in said township.

SECTION 2. That for the purpose aforesaid, said board is authorized to issue bonds signed by the president and attested by the clerk of said board, in sums of not less than fifty and not more than one hundred dollars, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually; said bonds to be payable at such time or times not exceeding three years from the respective dates thereof, as said board may determine, and shall not be sold for less than their par value.

SECTION 3. That for the purpose of paying the principal and interest of said bonds, said board of education may levy, annually, a tax on all the taxable property in said township, in addition to the levy now authorized by law, until all said bonds and interest thereon are duly paid.

SECTION 4. That before said board of education is authorized to borrow said sum of money, it shall submit to the qualified electors of said township at a general or special election, to be held by the trustees of said township, the proposition to borrow said sum of money, for the purpose mentioned, in the first section of this act.

SECTION 5. It shall be the duty of said board of education before submitting said proposition to a special election, to give notice by advertisements posted in five conspicuous places in said township, at least ten days next preceding said

election, stating the object thereof; but if submitted at any general election, no advertisement shall be required, and the form of the ballot shall be as follows: "Borrow money—Yes;" Borrow money—No;" and in case two-thirds of the qualified electors voting at said election shall vote in favor of said proposition, said board shall thereby be duly authorized in the premises. Said trustees shall make due return of the result of said election to the auditor of said county.

SECTION 6. This act shall take effect on and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 2, 1886.

[House Bill No. 325.]

AN ACT

For the relief of Frederick B. Leonhart, treasurer of Flatrock township, Henry county, Ohio.

WHEREAS, Frederick B. Leonhart, as treasurer of Flatrock township, in Henry county, being a township not provided with a "good fire and burglar-proof safe," did, under the provisions of section 1513 of the Revised Statutes of Ohio, deposit the township, school and other funds belonging to said township, for the year 1883, in the bank of Sheffield & Norton, at Napoleon, in said Henry county, to the aggregate amount of six hundred dollars; and

WHEREAS, A large amount of the assets of said bank are in litigation, and will be attended with much delay in the collection thereof, and a large amount of said assets consists of real estate, and will also require much time to convert into money; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Flatrock township, Henry county, Ohio, are hereby authorized to settle, compromise with and release Frederick B. Leonhart and his official securities, in their official bond, as treasurer of said township, from the payment of four hundred and fifty dollars belonging to the township and school funds of said township, upon the assignment, transfer and delivery by the said Frederick B. Leonhart to said trustees, of the certificate of deposit issued to him for the said funds by the said Sheffield & Norton; provided, that the said trustees shall submit said proposition to so release, to the qualified electors of said township, at the general spring election hereafter to be held in the said township, and a two-thirds majority of said electors voting upon the said proposition shall declare in favor of said release.

SECTION 2. It shall be the duty of said trustees to provide a special ballot-box for such ballots; and the form of the ballot shall be as follows: "For release—Yes;" "For release—No;" and the said trustees shall make the return of the result of said election to the auditor of Henry county, who shall file the same in his office.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 6, 1886.

[House Bill No. 49.]

AN ACT

To authorize the commissioners of Butler county to accept the Okeana and Drewersburg turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Butler county be and they are hereby authorized to accept and adopt a graveled road situated in Morgan township, in said county, beginning at the Indiana State line and running east on the section lines, dividing sections 18, 19, 17, 20 of said township, to near the east quarter of the last named section, thence bearing northeast connecting with the south branch of the Colerain and Oxford and Brookville toll pike, and when so accepted and adopted shall be a free turnpike, and shall be known as the Okeana and Drewersburg free turnpike, with the map and profile of the original survey, and shall be placed upon the records of Butler county, and when such proceedings have been done, shall be subject to the provisions of the statutes now in force relative to free turnpikes.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

JNO. O'NEIL,
President pro tem. of the Senate.

Passed April 8, 1886.

[Senate Bill No. 103.]

AN ACT

To authorize the commissioners of Clermont county to construct a free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Clermont county are hereby authorized to construct a free turnpike road on the following described route, or as near thereon as may be found most practicable: Beginning at the Cincinnati, Columbus and Wooster turnpike, at the west end of the village of Goshen, where the county road intersects said pike; thence with the county road to the wooden bridge spanning the Obanion creek near the Andrews farm; thence with said county road past the farms of George Roudabush, S. B. Myers, Joseph Custer, B. Shields and others, to the iron bridge spanning the Stonelick creek on the road leading past the farm of Richard Shumard; thence crossing Brushy Fork creek near Billafield's, and on the road past the Catholic church to New Boston to intersect the turnpike leading through New Boston at Inen's hotel; and in locating said road the said commissioners may locate the same on the county or township roads heretofore laid out and established in pursuance of law, and widen, alter, change, straighten or locate any part thereof, and shall have the power to lay out, locate and survey such turnpike through any improved or unimproved lands, and are hereby authorized for that purpose to condemn and appropriate the necessary lands therefor in pursuance of the laws of Ohio authorizing the appropriation of private property for public purposes; said road to be not more than sixty feet, nor less than thirty feet wide.

SECTION 2. That said commissioners may issue bonds for the construction of said road; provided, said bonds shall not have a rate of interest higher than six per cent, per annum, payable annually and sold in pursuance of the laws of the State of Ohio; provided, further, that said bonds may extend to such

time as they can be met at a levy of five-tenths of one mill on the dollar on the tax duplicate of said county.

SECTION 3. That said commissioners shall, before proceeding to construct said road, or any part thereof, require and secure from those interested in said road improvement, a subscription or donation, equal in amount to twenty per cent. of the cost of said improvement to aid in the construction of the same.

SECTION 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding five-tenths of one mill on the dollar, annually, on all the property in said county in addition to the taxes now authorized by law.

SECTION 5. A majority of said board of commissioners shall be necessary at a regular session to agree upon specifications and order said improvement, or any part thereof.

SECTION 6. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[Senate Bill No. 105.]

AN ACT

To authorize the council of the incorporated village of Waverly, Pike county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Waverly, Pike county, Ohio, be and the same is hereby authorized to transfer from the public hall and town prison fund of said village as follows, to-wit: Seven hundred dollars ($700) to the fire-cistern fund, and six hundred and six dollars and fifty-nine cents ($606.59) to the street and alley fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[House Bill No. 327.]

AN ACT

To extend the levy for constructing, improving and repairing the Marion and Mansfield free turnpike road in Marion county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Marion county be and they are hereby authorized to extend the levy of taxes heretofore made for constructing, improving and repairing the Marion and Mansfield free turnpike road in said Marion county for one year, in addition to the time said levy has already been

ordered, so that said levy will, in the aggregate, be for the term of eleven years.

SECTION 2. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[House Bill No. 358.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to build a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county are hereby authorized to construct the following free turnpike road: commencing at the track of the Cincinnati and Eastern railway company where it crosses the Milford and Mount Carmel road, in Union township, and thence in a northerly course to the Cincinnati, Columbus and Wooster turnpike, in or near the village of Milford, in said county, and may locate and establish the same in whole or in part upon any road or street heretofore established or laid out and may adopt the same at its present width, or may widen and enlarge the same, and may settle directly with land owners any question of damage or compensation arising by reason of their acts.

SECTION 2. Said commissioners may issue bonds for the construction of said road if they deem best; provided, the same shall not bear interest at a greater rate than six per cent. per annum, nor be sold for less than par. And said commissioners may levy a tax upon all the property in said county, in addition to that now allowed by law, to meet the payment of said bonds.

SECTION 3. Before proceeding to construct said road, said commissioners may require and secure from those interested in said road, a subscription or donation of twenty per centum of the cost thereof, to be used in its construction.

SECTION 4. That a majority of said board of commissioners shall be necessary at any regular session to agree upon specifications and order said improvement or any part thereof.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[House Bill No. 385.]

AN ACT

To allow the trustees of Mentor township, Lake county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Mentor, Lake county, Ohio, are hereby authorized to transfer from the cemetery fund of said township moneys not exceeding three hundred dollars, to be used for the purpose of paying a debt upon the soldiers' monument in said township.

SECTION 2. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[House Bill No. 436.]

AN ACT

To authorize the trustees of Vernon township, Clinton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Vernon township, of Clinton county, Ohio, be and they are hereby authorized to transfer one hundred and four dollars and twenty-one cents ($104.21), from the bounty fund to the general township fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[House Bill No. 469.]

AN ACT

To authorize the council of the village of New Lexington, Perry county, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of New Lexington, Perry county, be and it is hereby authorized and empowered to transfer the sum of three hundred dollars from the general fund to the street and alley fund of said village; and one hundred and fifty dollars from said general fund to the police and marshal fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 8, 1886.

[House Bill No. 413.]

AN ACT

To authorize the board of directors of the Mendon, Mercer county, schools, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of directors of the schools of the Mendon district, in Mercer county, Ohio, is hereby authorized to borrow, not to exceed ten thousand dollars, to be used in the erection of new school buildings and furnishing the same; such board of directors shall issue the bonds of said district, bearing interest not to exceed six per centum per annum, payable semi-annually, which bonds shall not be sold for less than their par value, said principal and interest to be paid at such places, and at such times, not to exceed fifteen years from the date thereof, as shall be deemed best by said board; the clerk of said board shall keep a record of the same, and the faith of said school district shall be pledged for the redemption of the same; and it shall be the duty of said board to levy sufficient tax to pay the interest on said bonds, and provide a sinking fund for the final redemption of the same.

SECTION 2. Said board of directors shall have the control of said funds, and shall expend the same for the purposes herein provided.

SECTION 3. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 9, 1886.

[House Bill No. 473.]

AN ACT

To authorize the county commissioners of Fayette county, Ohio, to extend the time of the payment of certain court house bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Fayette county, Ohio, for the purpose of extending the time of the payment of certain bonds heretofore issued by said commissioners to pay for the erection of the new court house for said county, are hereby authorized to extend the time of payment of such indebtedness for a period of not exceeding two years from the maturity of such bonds; and for that purpose shall have the power to issue new bonds of the county, for the like sum as the original bonds and bearing the same rate of interest; but in no case shall this act operate to increase the indebtedness of the county.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 9, 1886.

[House Bill No. 477.]

AN ACT

To authorize the city of Portsmouth, Ohio, to erect or purchase an electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Portsmouth, Ohio, be and they are hereby authorized and empowered to erect or purchase an electric light plant to be used for the purpose of lighting the corporation, and for that purpose said city council are hereby authorized to purchase dynamos, engines, wires, poles, and the appurtenances thereto belonging, necessary and material for successfully running and operating the same, at a total cost and sum not exceeding seventeen thousand dollars ($17,000). The sum to be paid for said electric light plant, shall be paid within such a time, not exceeding five years, as said council may determine, and any deferred payments to bear a rate of interest not exceeding four (4) per centum per annum; provided, nevertheless, that the principal and interest aforesaid shall be paid wholly out of the amount realized from the levy made annually for lighting purposes.

SECTION 2. When in the opinion of the city council it will be to the advantage to have such electric light plant operated in connection with the water works of said city, then such council shall have the power to place the control and management of said electric light in the water works trustees of said city, in which case said trustees shall submit monthly, for settlement and allowance, a full and complete statement of all supplies, therefor purchased by them, together with the cost thereof, and all other expenses incurred by them on account of operating said plant. But the management and control of said electric light plant by said water works trustees, may be terminated by the council at any time.

SECTION 3. When said city council determines to erect or purchase an electric light plant with the appurtenances thereto belonging, it shall proceed as follows:

First. It shall advertise for bids for the period of three weeks in two newspapers of general circulation in the corporation.

Second. The bids shall be filed with the city clerk, sealed up, by twelve o'clock at noon on the last day, as stated in the advertisement.

Third. The bids shall be opened at twelve o'clock at noon on the last day for filing the same, by the clerk, the mayor, and the civil engineer, or any two of them, and publicly read by the officer opening the same, and filed in the office of the city clerk; and shall be reported by the city clerk to the council at the next regular meeting thereafter.

Fourth. Each bid shall contain the name of every person, corporation or company, interested in the same, and shall be accompanied by a sufficient guaranty of some disinterested person or persons, that if the bid is accepted a contract will be entered into, and the performance of it properly secured.

Fifth. If the work bid for embraces both labor and material, they shall be separately stated, with the price thereof.

Sixth. None but the lowest responsible bid shall be accepted; but the council may in its discretion reject all the bids, or it may at its discretion accept any bid for both labor and material which may be the lowest aggregate cost of such improvement or repairs.

SECTION 4. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Passed April 9, 1886.

[Senate Bill No. 131.]

AN ACT

To authorize the commissioners of Guernsey county to levy a tax for the purpose therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Guernsey county, in addition to all other taxes authorized by law, are hereby authorized and required, in each of the years 1886 and 1887, to levy a tax of one mill on each dollar of the valuation of all the taxable property in said county, for the purpose of repairing and macadamizing that portion of the national road which passes through said county.

SECTION 2. No part of the money realized from said tax shall be used for constructing or repairing any bridge or culvert, but the same, together with the receipts from tolls on said road, shall be expended under the direction of the commissioners, solely for the purpose aforesaid.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No 282.]

AN ACT

To authorize the city of Steubenville, Jefferson county, Ohio, to issue bonds for the improvement and paving of the streets and alleys of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city of Steubenville, Jefferson county, Ohio, be and it is hereby authorized to issue bonds upon its corporate credit in such amount not to exceed thirty thousand dollars ($30,000), to be determined by the council of said city, for the purpose of paving and otherwise improving the streets and avenues of said city; said bonds to be sold according to law, and shall be issued in such denominations and shall be payable at such times within a period of ten years as said council shall determine, redeemable at the option of said council, and shall bear a rate of interest not to exceed six per cent. per annum, payable semi-annually.

SECTION 2. That the sum of money realized from the sale of said bonds shall be placed in the "street improvement fund," and all special assessments made for the improvement of any street or avenue, or part of either, the cost of which improvement shall have been paid out of said fund, shall be collected and placed in said fund for the redemption and payment of said bonds according to law.

SECTION 3. That for the purpose of paying the interest on said bonds, the council of said city is hereby authorized to levy annually, a tax upon all the taxable property of said city of Steubenville, in addition to the amount already allowed to be levied by law.

SECTION 4. That for the purpose of paying such amount of said bonds as shall not be redeemed by money collected by special assessments upon property abutting on or benefited by the improvement made upon the streets or avenues

of said city by the issuance of said bonds, the council of said city are hereby authorized to levy annually, a tax upon all the taxable property of said city of Steubenville, in addition to the amount already allowed to be levied by law.

SECTION 5. That this act take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 301.]

AN ACT

To authorize the trustees of Brecksville township, Cuyahoga county, to enlarge, alter and improve their town hall, and to build a tool house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Brecksville, Cuyahoga county, are hereby authorized to enlarge, alter and improve the town hall of said township, and to build a tool house for the storage and safe-keeping of the road and other implements of the township, at an expense not exceeding twenty-five hundred dollars. And the said trustees, to provide for the expense incurred thereby, are authorized to issue the bonds of said township for a sum not exceeding twenty-five hundred dollars, payable in not more than three years, bearing interest at a rate not exceeding six per cent., payable annually at the office of the treasurer of said township, and which shall not be sold at less than par value; said bonds shall be signed by the trustees of said township, and attested by the township clerk.

SECTION 2. Said trustees shall annually thereafter cause the necessary taxes to be levied, in amount not to exceed one and one-quarter mills on each dollar of the assessed value of the taxable property of said township, and for not more than three years, to pay the interest on said bonds, and to pay the principal thereof as the same shall become due, in the manner provided by law for the levying and collection of taxes.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 326.]

AN ACT

To repeal a certain act therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act passed January 25, 1883, (vol. 80, page 235), entitled "an act to authorize the commissioners of Henry county to construct certain free turnpike roads;" and also the act of March 5, 1883, (vol. 80, page 256), entitled "an

act supplementary to an act to authorize the commissioners of Henry county to construct certain free turnpike roads", passed January 25, 1883, are hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 336.]

AN ACT

To authorize the council of the village of Mingo Junction, Jefferson county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Mingo Junction, Jefferson county, Ohio, be and they are hereby authorized to transfer the sum of one hundred and one dollars and seventy-five cents ($101.75) to the general current expense fund from the bridge fund; also the sum of one hundred and one dollars and seventy-five cents ($101.75) to the street fund from the bridge fund; also, the sum of sixty-eight dollars and ninety-three cents ($68.93) to the improvement fund from the interest fund.

SECTION 2. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 366.]

AN ACT

To amend section 2 of an act entitled "an act to authorize the commissioners of Butler county to build a court-house," as passed January 28, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2 of the above recited act be amended so as to read as follow:

SEC. 2. To carry out the provisions of this act, said commissioners are hereby authorized, by taxation, at a rate not exceeding one mill per annum on the dollar of the valuation of the property of said county subject to taxation, to raise the amount of money necessary for that purpose, not exceeding the sum above named. And in the anticipation of the collection of such taxes, said commissioners shall have power to issue the bonds of said county, with interest coupons attached thereto, interest payable semi-annually, in sums of not less than five hundred dollars; principal and interest payable at the office of the treasurer of said county, or, at the First National Bank, in the city of New York, as may be designated in said bonds; said bonds to be due and payable at such times as said commissioners may, in their discretion, deem for the

best interest of said county; provided, that none of said bonds shall be due and payable at a longer period than twenty years from their date; and provided, that no greater amount shall be payable any one year than can be met by the levying of the rate of taxation herein named; and provided further, that the aggregate amount of bonds so issued shall not exceed said sum of two hundred thousand dollars; said bonds to bear a rate of interest not exceeding six per centum per annum, and to be sold for not less than their par value.

SECTION 2. That original section two of the act, to which this is amendatory, be and the same is hereby repealed.

SECTION 3. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 372.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county, Ohio, be and they are hereby authorized to construct a free turnpike road, beginning at the village of Boston; thence in a northerly direction so as to connect with and cross the Milford and Edenton turnpike; thence still in a northerly direction so as to connect with the Milford and Goshen turnpike at such point as the commissioners may select.

SECTION 2. That said county commissioners may, if they deem it best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be paid at a levy of three fourths of a mill on the dollar levy on the tax duplicate of said county.

SECTION 3. That said commissioners shall, before proceeding to construct said road, or any part of the same, require and secure from those interested in said improvement a subscription or donation equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same, or in lieu thereof may cause those interested in said improvement to grade and culvert said road, or parts of said road, ready for the materials for the same.

SECTION 4. That for the purpose of paying said bonds the county commissioners are hereby authorized to levy and assess a tax, not exceeding three-fourths of a mill on the dollar, annually, on any and all taxable property in said county.

SECTION 5. And in locating said road, said commissioners may locate the same upon the whole, or any part of any county or township road heretofore laid out and established, and may widen, alter, change or vacate the same, or any part thereof; and shall have the power to lay out, locate and survey such turnpike through any improved or unimproved lands, and are hereby authorized for that purpose, to condemn and appropriate the necessary lands therefor, in

pursuance of the laws of Ohio, for the appropriation of private property for public purposes, and the payment of compensation therefor.

SECTION 6. That a majority of said board of commissioners shall, at any regular session, be necessary to agree upon specifications and order said improvement, or any part thereof.

SECTION 7. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 397.]

AN ACT

To divide the township of Marion in the county of Franklin into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Marion, in the county of Franklin, be and the same is hereby divided into two election precincts. The dividing line of said township for said election purposes to be the National road. All that portion of said township north of said National road to be designated precinct A, and south of said National road to be designated precinct B.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 403.]

AN ACT

To authorize the commissioners of Athens county to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Athens county be and they are hereby authorized to transfer to the infirmary fund from the court house bond fund of said county the sum of three thousand one hundred and seven dollars.

SECTION 2. That said commissioners be and they are hereby authorized to transfer to the bridge fund of said county from the sewer fund the sum of seven hundred twenty-seven and 5-100 dollars, and from the court house bond fund to said bridge fund, the sum of two thousand three hundred seventy-nine and 95-100 dollars.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 433.]

AN ACT

To authorize the board of education of the village of Canal Fulton, Stark county, Ohio, to issue bonds to erect a school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of Canal Fulton, county of Stark, State of Ohio, be and it is authorized to borrow the sum of sixteen thousand dollars ($16,000), to be applied to the payment of the expense to be incurred in the erection and furnishing of a school building in said village, and purchasing a site therefor.

SECTION 2. That for the purpose aforesaid, the board is authorized to sell bonds, to be signed by the president and clerk of said board, in sums not to exceed one thousand dollars, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding sixteen years, from the respective dates thereof, as said board may determine; which said bonds shall not be sold for less than their par value, and to be sold without compensation or commission; and that said board may, in its discretion, have interest coupons attached, and said board may, in its discretion, make said bonds or interest thereon, or either, payable at the city of New York, or other point to be designated in said bonds.

SECTION 3. That for the purpose of paying said bonds and interest thereon as the same shall become due, the said board of education is authorized and empowered, annually, to levy a tax on all taxable property in said village school district of Canal Fulton, Ohio, not exceeding three and one-half mills ($3\frac{1}{2}$) per annum, on the dollar valuation, which levy may, if it becomes necessary, be in addition to that now authorized by law, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected, paid over to the treasurer of said school district.

SECTION 4. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 443.]

AN ACT

To authorize the commissioners of Muskingum county to levy an additional tax for the support of the poor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Muskingum county be and are hereby authorized and empowered to levy, at the June session in the year 1886, and annually thereafter in the years 1887 and 1888, respectively, in addition to the tax levies now authorized by law, for the support of the poor, a tax not to exceed five-tenths of one mill on the dollar of the taxable property of said county in each of said years.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 515.]

AN ACT

To authorize the commissioners of Licking county, to levy an additional tax for the purpose of constructing buildings for a children's home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Licking county be and they are hereby authorized to levy and assess upon all the taxable property in said county in each of the years 1886 and 1887, a sum not to exceed the one-half of one mill on each dollar of the valuation of said property each year, in addition to the levies now authorized by law, for the purpose of and to be expended in the construction of buildings for the children's home of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 516.]

AN ACT

To authorize the council of the village of Logan, Hocking county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Logan, Hocking county, Ohio, be and is hereby authorized to permanently transfer from the bonded indebtedness fund of said village, the sum of eighteen hundred dollars ($1,800) to the following named funds of said village: To the general expense fund of said village, the sum of three hundred dollars ($300); to the fire department fund of said village, the sum of six hundred dollars ($600); and to the street improvement fund of said village, the sum of nine hundred dollars ($900). And to permanently transfer from the cemetery fund of said village, the sum of seven hundred dollars ($700) to the following named funds of said village: To the marshal and police fund of said village, the sum of five hundred dollars ($500); and to the street improvement fund of said village, the sum of two hundred dollars ($200).

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P KENNEDY,
President of the Senate.

Passed April 14, 1886.

[House Bill No. 280.]

AN ACT

To authorize and require the board of county commissioners of the county of Paulding to issue bonds and to build a court house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Paulding county are hereby authorized and required to construct a court house in the center of the grounds, now occupied by said county with old court house and county offices, in the county seat of said county, or some other site in said county seat, to be selected by the county commissioners. Plans and specifications for said building shall be determined upon and the contract let, according to law, within six months after the passage of this act, which contract shall require said building to be completed as soon as practicable, at a total cost for the erection and furnishing of said court house, not to exceed forty thousand dollars.

SECTION 2. That the commissioners of said county, for the purpose of building said court house, are hereby authorized and required to borrow such sums of money, not exceeding forty thousand dollars ($40,000), as they shall deem necessary, at a rate of interest not exceeding six per cent. per annum, and issue the bonds of said county therefor. The payment of the principal of said bonds shall not be deferred beyond a period of twenty years, and shall be payable at the pleasure of the commissioners after eight years. The interest of said bonds shall be payable semi-annually, and said bonds are not to be sold for less than their par value.

SECTION 3. That the bonds so issued shall be signed by said commissioners and attested by [the] county auditor of said county, who shall keep a record of all bonds issued (with coupons attached), in such sums not less than one hundred dollars each, payable to bearer at such place as the county commissioners may designate in said bonds; and such bonds shall specify distinctly the purpose for which they are issued.

SECTION 4. That said board of commissioners are hereby authorized to levy an annual tax of one mill, or so much as is needed to pay the interest on said bonds, and in addition thereto, in the year 1891 and thereafter, levy an annual tax of one mill, or so much as may appear to be necessary, for the purpose of creating a sinking fund to pay said bonds; the levy for sinking fund purposes to be continued until said fund shall be sufficient for the full payment of said bonds.

SECTION 5. This act shall take effect and be in force from and after the date of its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 16, 1886.

[House Bill No. 419.]

AN ACT

Authorizing the city of Columbus to borrow money and issue bonds therefor to cover certain deficiencies in the general expense fund of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city of Columbus be and is hereby authorized, for the purpose of meeting certain deficiencies in the general expense fund of said city, to borrow, not to exceed twenty-five thousand dollars, and to issue the bonds of said city therefor, in denominations of not less than five hundred nor more than one thousand

dollars, payable in not less than one nor more than five years from their date, bearing interest at not to exceed the rate of six per cent. per annum, payable annually or semi-annually, and the city council of said city of Columbus shall levy, annually, on all the property in said city a tax sufficient in rate and amount to pay the accruing interest on such bonds and to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 16, 1886.

[House Bill No. 398.]

AN ACT

To authorize the city council of the city of Columbus to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Columbus be and it is hereby authorized and empowered to transfer the sum of fifteen hundred dollars from sewer district No. 1, East Broad street sewer fund of said city, to the sewer and drainage fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 16, 1886.

[House Bill No. 445.]

AN ACT

To authorize the council of the village of Georgetown, Brown county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Georgetown, Brown county, Ohio, be and is hereby authorized to transfer any fund now in the Georgetown and Sardinia railroad fund into the corporation fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 16, 1886.

[Senate Bill No. 148.]

AN ACT

To create a separate voting precinct in Sandusky township, Sandusky county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That that portion of Sandusky township, Sandusky county, lying east of the Sandusky river in said township, shall be a separate and independent voting precinct. Said voting precinct shall be known and designated as Croghan voting precinct.

SECTION 2. This act shall take effect and be in force from and after the seventh Day of April, A. D., 1886.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 17, 1886.

[Senate Bill No. 124.]

AN ACT

To authorize the commissioners of Cuyahoga county to construct an elevated roadway or bridge, from the village of Brooklyn to the village of Brighton, or to reconstruct, elevate, and improve the present roadway connecting said villages; and to issue the bonds of said county, and to levy a tax to pay therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Cuyahoga county be and are hereby authorized and empowered to construct an elevated roadway or bridge, over the valley, ravine and water course between the village of Brooklyn and the village of Brighton, in said county, or to re-construct, build, elevate and improve, all or any portion of the roadway now connecting said villages, and which runs through and over said valley, ravine and water-course, with all necessary bridges, culverts and other structures, and to fill, grade, drain, sewer, gravel, plank, macadamize or pave, or otherwise improve, said existing or proposed roadway; said improvement to be made of such material, and of such design as in the opinion of said commissioners may be most expedient. For the purposes of said improvement, said commissioners may acquire by purchase, or at their option may appropriate, enter upon and hold such real estate as in their judgment may be desired or needed for right of way, including all necessary slopes and embankments; and may also enter upon, occupy and hold, alter or change, all or any portion of said road which lies between or within either or both of said villages, and which may, in the opinion of said commissioners, be deemed necessary in the proper construction of said improvement, including the necessary approaches thereto.

SECTION 2. When it shall be deemed expedient by said commissioners to make the improvement authorized by section 1 of this act, they shall, by resolution, first declare their intention to make the same; and in said resolution, shall briefly describe the location, character and estimated cost thereof. Before determining upon the plan, or the material for the construction of said improvement, said commissioners may call to their aid a competent engineer to furnish plans and prepare drafts, specifications and estimates of the cost of the same, and the work of making said improvement may be done, either under the supervision of said commissioners, or an engineer to be appointed by them, and who shall be subject to their orders, as they may elect.

SECTION 3. Proceedings in making said improvements shall be taken as provided in sections 794, 796, 801, 802 and 803, respectively, chapter 1, title 6, of the Revised Statutes of Ohio, for the construction of bridges, in so far as the same are applicable, and not inconsistent with the provisions of this act; and proceedings for the appropriation of land for right of way purposes, shall be taken as provided by section 879 of said Revised Statutes, for the appropriation of land for court house, jail or public offices; and for the acquiring of material, in accordance with the provisions of section 4899, of said Revised Statutes, in so far as the same are applicable, and not inconsistent with the provisions of this act.

SECTION 4. For the purpose of providing the means for the cost and expense of the improvement authorized by this act, and the cost of any and all lands, easements and material purchased or appropriated for right of way or other purposes herein authorized, and all other costs and expenses connected therewith or caused by the same, said commissioners shall have the power and are hereby authorized, in addition to their ordinary powers, to issue the bonds of said Cuyahoga county for any amount not exceeding $40,000, which bonds may be made payable at any time, not to exceed five years from the date of issue thereof, and draw such rate of interest as said commissioners may deem proper, not exceeding six per centum per annum, payable semi-annually. Said bonds may be issued at such time or times, and in such amount or amounts, as the progress of the work or the convenience of said commissioners may require, and shall have printed or written upon them the date of the law under which they are issued, and the words "Road improvement bonds," and shall not be sold or negotiated for less than par, and their proceeds shall not be applied to any other purpose than the payment of the cost and expense of the work and improvement hereinbefore provided for, and to pay the interest on said bonds as the same shall accrue, and the principal of said bonds as the same shall mature. And for the purpose of paying said bonds, said commissioners, in addition to their other powers of taxation, are hereby further authorized and empowered to levy a tax, not to exceed one and ½-10th of one mill on a dollar in any one year, upon all the taxable property of said county, till said bonds and the interest thereon are fully paid.

SECTION 5. That this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 17, 1886.

[Senate Bill No. 126.]

AN ACT

To authorize the county commissioners of Hamilton county, Ohio, to levy a tax for grading, macadamizing and improving the county road in Springfield township, known and designated on the county plat as the Hunt road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be and they are hereby authorized and required to assess and collect upon the grand levy of the taxable property of said county a tax of one-fortieth of one mill on the dollar, which shall be applied to the grading, macadamizing and improving the county road in

Springfield township, as surveyed and established by the commissioners of Hamilton county, commencing at the point where th eSharon avenue, on the west line of the village of Carthage intersects the Hamilton, Springfield and Carthage turnpike; thence running westwardly to the Taylor creek road, and known and designated on the plat books of said county as the Hunt road; provided, that the amount thus to be expended shall not exceed the sum of five thousand dollars ($5,000.00), and any balance remaining to the credit of the fund raised under the provisions of this act after the completion of said improvement, shall be reserved by said commissioners for the benefit of said road.

SECTION 2. That, for the purpose of raising money to defray the expenses of grading, macadamizing and improving said road, the said commissioners are hereby authorized and directed to issue bonds of said Hamilton county, at not less than par value, in sums not less than five hundred dollars ($500.00) each, bearing interest at a rate not to exceed six per centum per annum, payable semi-annually, not to exceed in the aggregate, the sum to be assessed and collected, as indicated in section 1 of this act; said bonds to be negotiable and payable within ten (10) years from the date of issue.

SECTION 3. That said bonds shall be signed by the county commissioners and countersigned by the auditor of Hamilton county, who shall keep a record of all bonds under and by virtue of this act, to whom issued and made payable, and when redeemable.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 17, 1886.

[House Bill No. 411.]

AN ACT

To authorize the village of Richwood, Union county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Richwood, Union county, Ohio, be and it is hereby authorized to transfer the sum of five hundred and one dollars and fifty-three cents from the sewer fund to the general revenue fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 17, 1886.

[House Bill No. 479.]

AN ACT

To authorize the treasurer of Jefferson county, Ohio, to pay certain funds to treasurer of Wayne township, of said county, for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the contingent school fund levied in Wayne township, Jefferson county, Ohio, for the years 1883, 1884 and 1885, for the benefit of joint school districts Nos. 5 and 11, comprised of parts of Wayne township, Jefferson county, Ohio, and Green township, Harrison county, Ohio, and which fund is now in the treasury of Jefferson county, be paid to the treasurer of Wayne township on the order of the county auditor of said county to the treasurer of said Wayne township, to be used by the board of education of said township for school purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 17, 1886.

[House Bill No. 505].

AN ACT

To improve certain roads in Jefferson county, Ohio, and to provide payment therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Jefferson county, Ohio, be and are hereby authorized, at a cost not to exceed one thousand dollars, to repair the present road or open a new road, as follows: Beginning on the Steubenville and Knoxville road at a point near the mouth of Wills creek, and thence by the most practical route to connect with some public road or highway leading to or in the city of Steubenville.

SECTION 2. That said commissioners are hereby authorized and required to construct a free macadamized road, at a cost not to exceed twelve thousand dollars, from the Union cemetery gate on West Market street, Steubenville, Ohio; thence westward along the State road to the main entrance to the Jefferson county infirmary. Said improvement to be completed on or before January 1, 1887.

SECTION 3. That to provide the funds necessary for making such improvements, the said commissioners are hereby authorized to issue the bonds of said county in such amounts, and payable at such times as they deem best, not exceeding five years from date; provided they shall not be sold for less than par, and at a rate of interest not to exceed six per cent. per annum; and said commissioners shall, annually, levy a tax on the taxable property of said county, not exceeding two-tenths of a mill to the dollar, for the payment of said bonds and interest thereon, and said fund shall not be used for any other purpose.

SECTION 4. This act to take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 17, 1886.

[House Bill No. 545].

AN ACT

To authorize the trustees of Dover township, Cuyahoga county, Ohio, to improve certain roads in said township, and borrow money in payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Dover township, Cuyahoga county, Ohio, be and they are hereby authorized to improve certain roads within the limits of said township, at a cost which shall not exceed nine thousand dollars.

SECTION 2. That said trustees are hereby authorized to levy a tax upon all the taxable property in said township, not exceeding four mills on a dollar in any one year, during a period of not exceeding five years, commencing in the year 1886, for the purpose of providing the means with which to pay for said improvement on said roads.

SECTION 3. In anticipation of the money arising from said levies, said trustees are hereby authorized to borrow money and issue bonds of said township, not exceeding nine thousand dollars, and bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually. Said bonds shall be of such denominations and payable at such times as said trustees shall determine, and said bonds shall not be sold for less than their par value.

SECTION 4. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 17, 1886.

[House Bill No. 384.]

AN ACT

For the relief of John Hooper, of Windsor township, Morgan county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Windsor township, Morgan county, Ohio, be and is hereby authorized to make such appropriation, at their next annual session, as in their judgment may be required to liquidate a certain claim, not to exceed one hundred and forty dollars, held by John Hooper, of said township, for material furnished in building a school house in sub-district number thirteen, in Windsor township, Morgan county, Ohio.

SECTION 2. This act to take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[House Bill No. 399.]

AN ACT

To authorize the council of the village of Elyria, Lorain county, Ohio, to issue bonds for the purpose of paving streets and avenues.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the village of Elyria, Lorain county, Ohio, are hereby authorized to issue the bonds of said village in a sum not exceeding twenty-five thousand dollars, in denominations of not more than one thousand dollars, bearing interest at a rate not exceeding four per cent. per annum, payable annually, and redeemable at a period not exceeding twenty years from the date of issue; said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value, and may be issued and sold at such times and in such amounts as the council of said village shall determine by ordinance.

SECTION 2. The money arising from the sale of said bonds shall be used by the council of said village for the purpose of paving or flagging the streets and avenues thereof with stone, and for no other purpose whatever.

SECTION 3. Whenever the bonds of said village shall be issued as provided by this act, it shall be the duty of said council to levy a tax on all the taxable property of said village sufficient to pay the interest accruing annually on said bonds so issued, and to create a sinking fund for the payment of the principal thereof, as the same shall fall due.

SECTION 4. Before said bonds shall be issued, the council of said village shall submit the question of such issue and taxation to the qualified electors of said village, at a general election held in said village, or at a special election called for that purpose at the usual place of holding elections, of which proper notice shall be given in either case by publication in two newspapers printed in said village, for two consecutive weeks prior to such election; those electors who favor the issue of said bonds shall have written or printed on their ballots the words "Paving tax—Yes," and those who are opposed to such issue shall have written or printed on their ballots the words "Paving tax—No;" and if a majority of the votes cast at said election are in favor of said paving tax the council of said village shall be authorized to issue said bonds and levy said tax.

SECTION 5. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[House Bill No. 441.]

AN ACT

To amend an act passed April 14, 1882, as amended April 16, 1883, entitled "an act to authorize the commissioners of Gallia county to levy an additional tax for poor purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act passed April 14, 1882, as amended April 16, 1883, entitled "an act to authorize the commissioners of Gallia county to levy an additional tax for poor purposes," be so amended as to read as follows:

SEC. 1. That the commissioners of Gallia county be and they are hereby

authorized to levy not to exceed one mill upon each dollar of the taxable property of said county for poor purposes, in addition to the levy for said poor purposes now authorized by law, the same to be entered on the duplicate of said county and collected as other taxes.

SECTION 2. That the original act passed April 14, 1882, and as amended April 16, 1883, be and the same are hereby repealed.

SECTION 3. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[House Bill No. 449.]

AN ACT

To relieve certain parties herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township board of education of Marion township, Henry county, Ohio, be and are hereby authorized to settle with, and pay to Levi Pitman, Ira Plotts and Benjamin Kistler, as bondsmen of Eli W. Krout and G. B. Garwood, contractors for the building of a school-house in sub-district No. (10) ten, in Marion township, Henry county, Ohio, the sum of four hundred and fourteen dollars and thirty-nine cents; provided, that a proposition to settle with, and pay to said bondsmen said sum of money, shall be submitted to the qualified voters of said Marion township at the next general election, after ten days' notice has been given to the qualified electors of said township, and a majority of all votes cast at said election is necessary to authorize said board to relieve said bondsmen.

SECTION 2. The tickets for said relief shall have written or printed thereon the words, "For relief of Levi Pitman, Ira Plotts and Benjamin Kistler—Yes;" or, "For relief of Levi Pitman, Ira Plotts and Benjamin Kistler—No."

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[House Bill No. 450.]

AN ACT

To authorize and require the commissioners of Hamilton county to levy a tax for improving, grading and macadamizing the roads known on the county plats as the Gray road and Winton road, in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county, Ohio, be and are hereby authorized, and shall assess and collect upon the general levy of the taxable property of said

Hamilton county, a tax not exceeding one-tenth (1-10) of a mill on the dollar, to be divided into the levies of two years next succeeding the passage of this act, six-tenths (6-10) of which shall be applied to the necessary improving, grading and macadamizing said Gray road, beginning at its intersection with said Winton road, thence northwesterly to its intersection with the Groesbeck road, a distance of one and one-fifth miles more or less, and four-tenths (4-10) of which shall be applied to the necessary improving, grading and macadamizing said Winton road, commencing at its intersection with Spring Grove avenue, thence northerly a distance of sixty-four hundred feet. Said amount thus raised shall not exceed twenty thousand ($20,000) dollars, and shall be expended upon said Gray and Winton roads in the proportion herein specified, by and under the direction of the said county commissioners of Hamilton county in improving, grading and macadamizing said Gray and Winton roads, and any unexpended surplus from said tax shall be appropriated by said commissioners in the said proportions to the repair and maintenance of said improved roads.

SECTION 2. For the purpose of raising money to defray the expenses of said improvements of said Gray and Winton roads, said commissioners are required and empowered to issue bonds of said Hamilton county, at not less than par value, in sums of not less than one thousand dollars each, bearing interest at a rate not to exceed five per centum per annum, payable semi-annually, not to exceed in the aggregate the sum to be assessed and collected as indicated in section 1 of this act; said bonds to be negotiable and payable in ten years from the date of their issue.

SECTION 3. Said bonds shall be signed by said county commissioners and countersigned by the auditor of Hamilton county, who shall keep a record of all bonds under and by virtue of this act, to whom issued and made payable, and when redeemable.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[House Bill No. 525.]

AN ACT

To change the name of Dallas special school district to Ansonia special school district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of Dallas special school district, which is situated in Darke county, Ohio, be and the same is hereby changed to Ansonia special school district.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 21, 1886.

[House Bill No. 362.]

AN ACT

Supplementary to "an act to authorize the commissioners of Hamilton county to levy a tax for the building, construction and erection of a morgue," passed April 6, 1882, (O. L., vol. 79, page 182).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in addition to the power and authority conferred by the act to which this is supplementary, the commissioners of said county be and they are hereby authorized and directed to issue the bonds of Hamilton county for the sum of fifteen thousand dollars, payable within five years from the date of such indebtedness, and at such times as said commissioners may prescribe, which bonds shall bear interest not to exceed the rate of five per cent. per annum, payable semi-annually, and be of such denominations as the commissioners of said county shall provide.

SECTION 2. Said bonds shall be signed by the commissioners of said county, and attested by the auditor thereof, who shall keep a record of all bonds issued. They shall be with or without coupons attached, payable to bearer, at such place as the commissioners of said county shall determine, which place shall be specified in said bonds, and also the purpose for which they were issued, and they shall not be disposed of at less than their par value.

SECTION 3. The board of commissioners shall annually cause to be levied on the tax duplicate of the county such amount of taxes as shall be necessary to pay the accruing interest upon said bonds, and such part of the principal as falls due each year.

SECTION 4. The amount realized from the sale of said bonds shall be applied to meet expenses incurred in the construction and furnishing of the morgue in Hamilton county, "Cincinnati."

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 22, 1886.

[Senate Bill No. 125.]

AN ACT

To authorize the board of education of Bartlow township, Henry county, Ohio, and the board of education of the special school district of the incorporated village of Deshler, in said Bartlow township, to issue bonds to extend the time of payment of certain school building bonds, and to levy a tax for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Bartlow township, Henry county, Ohio, and the board of education of the special school district of the incorporated village of Deshler, in said township, be and they are hereby authorized to issue bonds as hereinafter provided, not exceeding the sum of thirty-five hundred dollars ($3,500), for the purpose of refunding and extending the time of payment of seven bonds of $500 each, issued August 1, 1882, by the board of education of the school district of Bartlow township, as then constituted, including the incorporated village of Deshler, which are due and unpaid.

SECTION 2. Said bonds shall be in denominations of $500 each, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually. Said bonds shall be payable at such time or times, not exceeding ten years from date of issue, as said boards may determine. Said bonds shall be signed by the president and clerk of the board of education of the school district of Bartlow township.

SECTION 3. The board of education of said school district of Bartlow township, and the board of education of said special school district of the incorporated village of Deshler, are hereby respectively authorized and required to levy a tax, in addition to other taxes authorized by law, to be collected as other taxes are collected, on all the taxable property within said respective districts, sufficient, in the aggregate, to pay said bonds and the interest thereon as the same may become due and payable.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[Senate Bill No. 165.]

AN ACT

To amend sections 1 and 3 of an act of the General Assembly, passed April 1, 1885, and entitled "an act to authorize and require the commissioners of Ashland county, Ohio, to build a jail and residence in the same for the sheriff of said county, and to issue bonds."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1 and 3 of an act entitled "an act to authorize and require the commissioners of Ashland county, Ohio, to build a jail and residence in the same for the sheriff of said county, and to issue bonds," be and the same are hereby amended so as to read as follows:

SEC. 1. That the county commissioners of Ashland county, Ohio, are hereby authorized and required to purchase a site for and construct a jail thereon, including apartments therein to be used by the sheriff or jailor of said county as a residence, at the county seat of said county, to-wit: at the incorporated village of Ashland, and a plan for said jail shall be determined upon, and the contract for the building of said jail let, according to law, which contract shall require the building aforesaid to be completed as soon as practicable, at a cost for said site and building not to exceed thirty thousand dollars.

SEC. 3. That the commissioners of said county, for the purpose of purchasing said site and constructing said jail and sheriff's residence therein, are hereby authorized to borrow such sum of money as they shall deem necessary, but not to exceed the sum of thirty thousand dollars, at a rate of interest not to exceed six per cent. per annum, interest payable semi-annually, and to issue bonds of said county to secure the payment of the principal and interest thereon. The principal of said bonds shall be paid at such times as the commissioners may prescribe, within three years from the date of said indebtedness, at the town of Ashland, in the county of Ashland, Ohio; said bonds to be sold at not less than their par value; principal and interest shall be paid at the office of the county treasurer of said county.

SECTION 2. That said original sections 1 and 3 of the above entitled act are hereby repealed; and this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[House Bill No. 528.]

AN ACT

To authorize the trustees of Island Creek township, Jefferson county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Island Creek township, Jefferson county, Ohio, be and are hereby authorized to transfer three hundred and fifty dollars from the township fund to the road fund of said township.

SECTION 2. That this act to take effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[House Bill No. 374.]

AN ACT

To authorize the city council of the city of Mansfield, Ohio, to issue and sell bonds for the purpose of extending the sewer leading from the Intermediate penitentiary grounds, from the north corporation line of said city, south to the Rocky fork of Mohican creek.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Mansfield, Ohio, be and is hereby authorized and empowered to issue and sell bonds of said city, in the sum of six thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable annually, and of denominations not less than one hundred dollars nor more than one thousand dollars each, made payable at such times as said council may by resolution prescribe, but not less than two years nor more than ten years from date; said bonds shall not be sold for less than par, and the proceeds therefrom shall be used for the purpose of extending the sewer leading from the Intermediate penitentiary grounds, from the north corporation line of said city, south to the Rocky fork of Mohican creek, and shall be used for no other purpose.

SECTION 2. That for the purpose of paying said bonds and the interest thereon at maturity, the city council of said city is hereby authorized to levy a tax upon all the taxable property, both real and personal of said city, in addition to the amount otherwise allowed by law, to be collected as other taxes,

and the money so collected shall be used for the paying of said bonds and the interest thereon, and shall not be used for any other purpose.

SECTION 3. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[House Bill No. 416.]

AN ACT

To enable the members of Edward's Grove Cemetery Association, of Ripley township, Huron county, Ohio, to elect officers, and to amend the constitution and by-laws of said association.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a majority of persons who are members of the Edward's Grove Cemetery Association of Ripley township, Huron county, Ohio, and who shall be in attendance at any meeting of said association, notice of said meeting having previously been given by publication thereof, and of the time and place of holding the same, for at least three consecutive weeks, in some newspaper of general circulation in said Ripley township, and Huron county, shall have authority and are hereby empowered to elect officers of said association, and transact any other business provided for in the constitution and by-laws of said association; and are further empowered to amend articles one and two of the constitution, and section eight of the by-laws of said association.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[House Bill No. 487.]

AN ACT

To authorize the council of the city of East Liverpool, Columbiana county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of East Liverpool, Columbiana county, Ohio, is hereby authorized and empowered to transfer the sum of seventeen hundred and sixty-six dollars and fifty cents ($1,776.50) from the sinking fund to the general fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[House Bill No. 510.]

AN ACT

To authorize the council of the village of LaRue, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of LaRue, Ohio, be and they are hereby authorized to transfer from the building fund of said village, the sum of one hundred dollars ($100.00) to the general fund, and three hundred dollars ($300.00) to the street improvement fund.

SECTION 2. This act shall take effect from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[House Bill No. 511.]

AN ACT

To authorize the council of the village of Caledonia, Ohio, to transfer certain funds, therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Caledonia, Ohio, be and they are hereby authorized to transfer from the sanitary fund of said village, the sum of three hundred dollars to the ditch fund, and one hundred dollars from the street improvement fund, and fifty dollars from the fire fund to the marshal and police fund.

SECTION 2. This act to be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[House Bill No. 561.]

AN ACT

To authorize the trustees of Newark township, Licking county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Newark township, Licking county, Ohio, be and they are hereby authorized to transfer the sum sum of three thousand ($3,000) dollars from the general township fund to the township road fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 27, 1886.

[House Bill No. 322.]

AN ACT

To authorize the deacons of the Christian Church of Cameron, Monroe county, Ohio, to sell certain lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the deacons of the Christian Church of Cameron, Monroe county, Ohio, are hereby authorized to sell part of the church property of said church to enable said deacons to repair their church-house, to-wit: known as part of section 12, township 3, range 4; commencing at the north-west corner of section 12; thence east 4 rods; thence south 15 rods; thence a south-west course 14 rods to the corner on section line, about 19 rods to the place of beginning; containing about one and a half acres, more or less.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 356.]

AN ACT

To authorize the county commissioners of Franklin county to levy a tax for the purpose of keeping in repair Green Lawn Avenue, and planting shade trees along the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Franklin [county] be and are hereby authorized and empowered to levy an annual tax to keep in repair the bridge and road-bed of Green Lawn avenue, between the city of Columbus and Green Lawn cemetery, to plant shade trees along the sides thereof, and construct and keep in repair a summer track at the side of the graveled road-bed; said tax not to exceed one-tenth of a mill per annum on the taxable property of said county.

SECTION 2. This act shall take effect from its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 380.]

AN ACT

To amend section 4 of an act entitled "an act to enable the commissioners of Montgomery and Warren counties to purchase toll roads and to convert the same into free roads," passed and took effect April 12, 1880, (O. L., v. 77, page 386), and as amended March 27, 1882, (O. L., v. 79, page 180).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the above section 4 of the above recited act be amended so as to read as follows:

SEC. 4. That upon the filing of said report by said appraisers, if the appraised value of said roads shall be deemed reasonable, the commissioners shall

submit to the owner or owners of said toll-roads a proposition for the purchase of the same, at a price not to exceed such appraisal; and if such proposition is accepted, the said commissioners shall thereupon purchase the same, and take conveyance thereof from such owner or owners; and if, upon said first appraisement, the county commissioners and the owners of said toll-roads cannot agree upon the price to be paid therefor, said commissioners may order a second or other appraisement in the manner herein provided; and to provide for the payment of said roads, said commissioners are hereby authorized to issue the bonds of the county at their par value, the payment of the same to be made in annual installments, not to exceed seven years, and to bear a rate of interest, payable annually, not to exceed six per cent.; and thereupon said roads shall be declared free roads, to be kept in repair as hereinafter specified; and in any and all cases the commissioners of said county may reserve the right to reject any appraisement or award should they deem the same excessive; provided, that if the commissioners shall have submitted to the owner or owners of such toll-roads, a first and second proposition for the purchase of the same, at the first and second appraisement made by said appraisers, and if neither of said propositions shall be accepted by said owner or owners of said toll-roads, then said company shall charge and receive the following tolls, and no more, for every ten miles travel on said road, and the same in proportion for any less distance, to wit: For every four-wheeled carriage or other vehicle drawn by one horse or other animal, ten cents; for each additional animal, three cents; for every sled or sleigh drawn by one horse or other animal, three cents, and for each additional animal, three cents; for every horse or mule and rider, three cents; for every horse, mule or ass, six months old or upwards, two cents; for every head of neat cattle six months old or upward, three-fourths of one cent; for every head of sheep or hogs, one-fourth of one cent; for every stage coach or omnibus drawn by two horses or other animals, twenty cents; for each additional animal, five cents; and for every two-wheeled carriage drawn by one horse or other animal, seven cents, and for each additional animal three cents. But persons going to and from their regular place of worship on the Sabbath, or to and from funerals, militia musters or elections, jurymen going to and returning from their attendance at court, and the troops and armies of the United States and of this State, may pass on said road free of toll.

SECTION 2. That said original section 4 be and the same is hereby repealed and this act shall take effect on and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 480.]

AN ACT

To authorize the commissioners of Lucas county to macadamize certain roads therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Lucas county are hereby authorized to macadamize that part of county road No. 228, lying between the corporate limits of the city of

Toledo and the United States turnpike; and also that part of county road No. 279, lying in front of the Toledo insane asylum grounds.

SECTION 2. For the purpose of paying for the construction of the same, the said commissioners are hereby authorized to issue the bonds of the county for such an amount as may be necessary; said bonds to bear interest at the rate of five per cent. per annum, payable semi-annually, and shall be made payable at any time within three years of the date thereof, at the discretion of the commissioners.

SECTION 3. For the purpose of paying the bonds and the interest thereon, as the same become due and payable, the commissioners are hereby authorized and required to levy annually, on all the taxable property within the county a sum sufficient to pay the same, in addition to all other taxes authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 488.]

AN ACT

To authorize the trustees of Union township, Clinton county, Ohio, to levy a tax to purchase machinery.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Union township, Clinton county, Ohio, be and they are hereby authorized to levy a tax not exceeding one-quarter of a mill on each dollar's valuation of all the taxable property of said township, for the purpose of purchasing power and machinery to break stone for the improvement and repair of the public roads of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 499.]

AN ACT

To straighten the boundary line between Auglaize and Logan counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the boundary line between Auglaize and Logan counties be changed so as to run parallel with section lines instead of angling across them as it now does; that said line be located as follows, to-wit: Commencing at the northeast corner of Shelby county, being the quarter corner to sections twenty-five and thirty-six, town six south, range seven east, and running thence east to the

southeast corner of said section twenty-five, town six south, range seven east; thence north along the range line three and a half miles to the west quarter corner of section seven, town six south, range eight east; thence east along the quarter section line through sections seven, eight, nine, ten, and fractional eleven, town six south, range eight east, to the west line of Valentine Peers, Virginia military survey, No. 12,276, original quantity 2,666⅔ acres; thence parallel to the south line of said survey No. 12,276 to the Hardin county line; thence south along said Hardin county line to the southwest corner of said Hardin county.

SECTION 2. The proposition to change the county lines of said counties as above provided, shall be submitted to the qualified electors of said counties at the next annual election, to be held on the first Tuesday of November, 1886. Those who are in favor of the change will indorse on their ballots, "Change of county line—Yes;" those who are opposed will indorse on their ballots, "Change of county line—No." If a majority of all the votes cast in each county shall be in favor of changing the county lines, then the boundaries of said counties shall hereafter be established as in section 1 of this act, and the lands changed hereby shall be transferred to the duplicate of the county in which they may become situate.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 502.]

AN ACT

To fund certain indebtedness of the village of Higginsport therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Higginsport, Brown county, Ohio, is hereby authorized to issue bonds of said village in a sum not exceeding seven thousand dollars in denominations not less than fifty nor more than one thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to run such time as council may by ordinance prescribe, not exceeding twenty years from date.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall be sold at public or private sale at not less than their par value, and may be sold at such times and in such amounts, from time to time, as will best subserve to carry out the purpose for which they are issued.

SECTION 3. The proceeds of such bonds shall be used for the purpose of purchasing and paying all bonds or other indebtedness of said village outstanding.

SECTION 4. If any bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village, and said council is hereby authorized, annually, thereafter, until the same and the interest thereon shall be paid, to levy a tax on all the taxable property of said village sufficient to provide for the payment of the interest accruing on the bonds so issued, and

create a sinking fund for the payment of the principal of the bonds as they fall due.

SECTION 5. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 504.]

AN ACT

To amend section 3 of an act passed April 3, 1885, (82 v. 342), entitled "an act to authorize the council of the city of South Toledo to improve certain lands and issue its bonds."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3 of said entitled act be amended so as to read as follows:

SEC. 3. The council of said city, for the purpose of paying said bonds, is hereby authorized, in addition to all other levies, to levy a tax upon all the taxable property and real estate of said city, to be certified to the auditor of said county of Lucas, and to be collected as other taxes for city purposes.

SECTION 2. Said original section 3 of said act be and is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 538.]

AN ACT

To divide West township, Columbiana county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of West, in the county of Columbiana, be and the same is divided into two election precincts for all presidential, state, county, township, and other election purposes, as follows: By a line running east and west through the center of said township. All of the territory lying north of said line to be known as precinct number one, and elections shall be held at New Chambersburgh in said precinct and township; the territory lying south of said line to be known as precinct number two, and elections shall be held at East Rochester in said precinct and township.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 549.]

AN ACT

To authorize the commissioners of Shelby county to issue bonds and erect a hitching rack around the court-house public square in Sidney, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Shelby county are hereby authorized and empowered to issue the bonds of said county, not to exceed fifteen hundred dollars for the purpose of erecting hitching racks around the court-house public square in Sidney, Shelby county, Ohio, said bonds to bear interest at six per cent., and they shall not be sold for less than their par value, and shall not run to exceed five years.

SECTION 2. This act to take effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[House Bill No. 573.]

AN ACT

Supplementary to an act passed April 1, 1886, to authorize the board of county commissioners of Guernsey county to issue bonds for the purpose of purchasing a site and building a children's home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the interest upon the bonds provided for by the act to which this is supplementary shall be payable semi-annually.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed April 30, 1886.

[Senate Bill No. 183.]

AN ACT

To provide for levying an additional tax by the commissioners of Mahoning county, to reimburse the bridge fund, and the issuing of bonds if necessary.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of said county of Mahoning be and they hereby are authorized to levy a tax of one mill upon each dollar of the taxable property of said county, for county purposes, in addition to the amount now authorized by law to be collected as other taxes; provided, that the aggregate levy shall not exceed, in any one year, the amount now authorized by law to be levied for all purposes.

SECTION 2. Should it become necessary to use all or any part of the levy provided for by section one, before the same is paid in, the said commissioners shall have power to issue the bonds of the county, in such amounts and for such time as they may deem proper, not later than August 1, 1892, not exceeding in the aggregate thirty thousand dollars ($30,000.00), bearing interest not to exceed six per centum per annum, and payable on the first day of March and September of each year. Such bonds not to be sold for less than their par value.

SECTION 3. That said commissioners are authorized to use the money so collected by levy, or by the sale of bonds, for the purpose of reimbursing the bridge and building funds of said county for money temporarily transferred therefrom to the fund for county purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Passed May 10, 1886.

[House Bill No. 238.]

AN ACT

To divide Dover township, Athens county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Dover township, in Athens county, Ohio, be divided into two election precincts, and shall be divided by the following lines: commencing at the northwest corner of section thirty-five, thence east to the northeast corner of section twenty-nine; thence south to the northwest corner of fraction eighteen; thence east along the north line of fraction eighteen to the center of said line; thence south to the south line of fraction eighteen; thence east to the west line of section sixteen; thence south to the southwest corner of section sixteen; thence east to the west line of fraction twelve, thence south to the southwest corner of fraction twelve, thence west to the northwest corner of fraction two, thence south to the southwest corner of fraction two, thence east to the east line of said township.

SECTION 2. That all that part of said township lying southwest of said dividing line, shall be and is hereby constituted an election precinct, to be known and designated as the Chauncey precinct of said township, with place of holding elections at the village of Chauncey, and all that part of said township lying northeast of said dividing line shall be and is hereby constituted an election precinct, to be known and designated as the Millfield precinct of said township, with place of holding elections at the village of Millfield.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 281.]

AN ACT

To authorize the city of Steubenville, Jefferson county, Ohio, to issue bonds for the purpose of constructing sewers in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city of Steubenville, Jefferson county, Ohio, be and it is hereby authorized to issue bonds upon its corporate credit, in such amounts as its council shall determine, not to exceed twenty thousand dollars, for the purpose of constructing sewers in said city; said bonds to be sold according to law, and shall be issued in such denominations, and shall be payable in twenty years and redeemable at the option of the council in ten years from the date of issue, and shall bear a rate of interest not to exceed six per cent. per annum, payable semi-annually.

SECTION 2. That for the purpose of paying said bonds and interest thereon, the council of said city are hereby authorized to levy annually, a tax upon all the taxable property of said city of Steubenville, in addition to the amount already allowed to be levied by law; provided, nevertheless, that if said council collect by special assessments upon abutting or benefited property any part of the costs of construction of the sewers constructed with money realized from the sale of said bonds, the amount so collected by special assessments shall be applied upon the payment of the principal of the bonds so issued.

SECTION 3. That this act shall take effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 363.]

AN ACT

To amend an act entitled "an act to authorize the trustees of Spencer township, Hamilton county, to transfer unappropriated funds," passed March 24, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Spencer township, Hamilton county, Ohio, be and they are hereby authorized and empowered to permanently transfer the surplus funds remaining at any time in the township treasury to the credit of the cemetery fund, to the separate school funds of said Spencer township, viz.: Linwood school district and school district No. 8, of said Spencer township, both lying and being in said township; said funds to be distributed and divided equally between said districts.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 368].

AN ACT

To authorize and require the commissioners of Hamilton county to open, grade and macadamize Jonathan avenue from the Montgomery road to the Reading road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county are authorized and required, as hereafter provided, to lay out, open, grade, and macadamize a road, commencing at what is known as Jonathan avenue, on the west side of the Montgomery pike, and thence westwardly by the shortest and best route to the point at which Rockdale avenue intersects the Reading road, and to pay the cost of said road out of any unexpended money in the road fund of said county.

SECTION 2. That when a petition signed by a third of the property holders along the line of said road shall be presented to the commissioners of said county, praying for its opening, the commissioners shall cause a survey of the same, prepare an estimate of its cost, and the work, after the notice, shall be let to the lowest responsible bidder, as provided by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 390.]

AN ACT

To authorize the commissioners of Franklin county to construct a bridge across the Scioto river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Franklin county be and they are hereby authorized to construct a bridge across the Scioto river at the point where the Klickenger road, recently established, crosses said river, about five miles south of the city of Columbus, at a cost of not more than twenty-five thousand dollars; and in the exercise of their powers, and the performance of their duties in that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are conferred and prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expenses of constructing said bridge, said commissioners are hereby authorized and empowered to issue bonds of said Franklin county, at no less than their par value, in sums of not less than one thousand dollars each, bearing interest at a rate not to exceed six per centum per annum, payable semi-annually; and not to exceed in the aggregate the sum of twenty-five thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county to pay said bonds as they mature, and the

interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 425.]

AN ACT

To authorize the commissioners of Lawrence county to levy an additional tax for certain purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Lawrence county be and they are hereby authorized to levy, for the years 1887, 1888, 1889, 1890, 1891, 1892, 1893 and 1894, in addition to the amount now authorized by law for county purposes, a tax not exceeding five-tenths of one mill ($\frac{5}{10}$) on the dollar of the valuation for taxation of the property of such county, for the purpose of paying a present deficiency and the interest accruing thereon, and may borrow money at not exceeding six per cent. interest, in anticipation of the fund arising from such levy.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 446.]

AN ACT

Supplementary to an act passed April 13, 1880, and supplementary act thereto passed April 19, 1881, entitled an act to authorize certain townships in Putnam county, State of Ohio, to levy taxes to improve public highways in said townships, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act passed April 13, 1880, and the supplementary act thereto, passed April 19, 1881, be supplemented as follows: That the trustees of the township of Ottawa in the county of Putnam in the State of Ohio, be and are hereby authorized to levy and assess upon the taxable property of their township including the villages situated in said township, a tax not to exceed two thousand dollars ($2,000) for the purpose of purchasing gravel or stone and to acquire, hold and use the same, to keep up and in repair the roads and highways improved and constructed or to be constructed under the provisions of the acts to which this act is supplementary.

SECTION 2. That the money arising from such levy shall only be used and applied for the purposes herein specified.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 464.]

AN ACT

To authorize the village council of the incorporated village of Franklin, Warren county, Ohio, to issue bonds and levy a tax for the purpose of providing said village with a system of public water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Franklin, Warren county, Ohio, be and the same is hereby authorized to issue the bonds of said village in an aggregate sum not exceeding twenty-five thousand dollars, bearing interest at a rate not exceeding five per centum per annum, from date of issue, (said interest payable semi-annually), for the purpose of providing said village with a system of public water-works.

SECTION 2. Said bonds shall be signed by the mayor of said village and countersigned by the clerk thereof, and shall not be sold for less than their par value, and shall be issued at such times and in such amounts, and mature at such dates respectively, as the council of said village shall determine by ordinance; and said village council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and the interest thereon, not to exceed three mills on the dollar in any one year.

SECTION 3. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of purchasing the necessary grounds, and constructing, paying for, and maintaining water-works for said village, which water-works, when completed, shall be used, operated and controlled in such manner as may be prescribed by law, and the ordinance of said village enacted in conformity therewith.

SECTION 4. For the purpose of carrying out the provisions of this act the council and the clerk, and other officers of said village, shall be exempt from the provisions of section 2702 of the Revised Statutes of Ohio, as amended April 18, 1883.

SECTION 5. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 471.]

AN ACT

To change the name of Rome precinct, in Lawrence county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of Rome precinct, in Lawrence county, Ohio, be and the same is hereby changed to Miller's precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 498.]

AN ACT

To divide Margaretta township, Erie county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Margaretta, in the county of Erie, be and the same is divided into two election precincts, as follows: That all the territory lying north of lots numbered sixteen (16), eighteen (18), nineteen (19), twenty (20), thirty-four (34), thirty-three (33), twenty-seven (27), twenty-one (21), fifteen (15), nine (9), and three (3), in the second and third sections of said township, shall be the second precinct of said township, and shall be called the Venice precinct, and elections shall be held at Venice, in said precinct and township. The first precinct shall consist of the balance of the territory of said township, and shall be called the Castalia precinct, and elections shall be held at Castalia, in said precinct and township.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 500.]

AN ACT

To authorize the council of the village of Oak Harbor, Ottawa county, Ohio, to create a fund to pay existing indebtedness, and to levy a tax and issue bonds to raise money therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Oak Harbor, Ottawa county, Ohio, be and they are hereby authorized and empowered to create a fund to be known and called "the corporation debt fund," which shall be subject to the payment of the present indebtedness, and all future maturing indebtedness of said village existing on

account of unredeemed bonds and bonds to become due, which have heretofore been issued for special improvements of Water, Locust and Center streets therein, and which shall also be subject to the payment of the present indebtedness existing and chargeable to the general fund of said village.

SECTION 2. That the council of said village of Oak Harbor are hereby authorized to issue bonds of said incorporated village of Oak Harbor, Ohio, in an amount not to exceed five thousand dollars, to bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, for the purpose of making sale of said bonds and placing the proceeds thereof into said fund. Said bonds shall be payable, not to exceed ten years after the issuing thereof, and to be issued in amounts not to exceed five hundred dollars for such bond, and not to be sold for less than their par value, and said bonds shall be signed by the mayor and clerk of said village.

SECTION 3. For the purpose of raising money to pay said bonds and the interest thereon, said council are hereby authorized to levy a tax upon all the taxable property within said village, not exceeding four mills on a dollar in any one year, during a period not to exceed ten years, commencing in the year 1886, and any such levy so made may be made in addition to the levies and taxes now authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY.
President of the Senate.

Passed May 11, 1886.

[House Bill No. 523.]

AN ACT

To authorize the commissioners of Highland county, Ohio, to levy a tax in addition to that now authorized by law for bridge purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Highland county, Ohio, be and they are hereby authorized to levy a tax for the years 1886, 1887, 1888, and 1889, not exceeding five-tenths of one mill on the dollar, annually, on all of the taxable property in said county, in addition to the levy now authorized by law, for the purpose of building and repairing bridges, and for the payment of bridge bonds issued under authority of section 871, Revised Statutes of Ohio for 1880.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 554.]

AN ACT

To amend section 2 of an act entitled "an act to provide for the transfer and expenditure of certain funds and unexpended balances therein named," passed May 4, 1885, (82 O. L., 433).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2 of the above entitled act be amended to read as follows:

SEC. 2. 1st. The road along the east bank of the Great Miami river, leading from the village of Cleves to the Cincinnati and Harrison turnpike, upon which improvement there shall be spent not less than five thousand dollars.

2d. The Jordan road, leading from the Cleves and Bridgetown turnpike to and down Jordan creek, upon which improvement there shall be spent not less than two thousand dollars; provided further, said improvement shall begin at the intersection of said road with said turnpike near Burr's school-house.

3d. The road in Whitewater township, leading west from the Great Miami river, near the seat of Cilley's mill to its intersection with the county road near Hunt's grove, upon which there shall be spent not less than one thousand five hundred dollars.

4th. The road in Harrison township, known as the Carolina Trace road, beginning at the intersection of said road with the New Haven road, running thence in a northwesterly course to a point where it intersects the Beddinger free turnpike road, upon which improvement there shall be spent not less than three thousand dollars; provided, nothing herein shall be construed as interfering with existing contracts made under said original act.

SECTION 2. That said original section 2 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 559.]

AN ACT

To authorize the board of education of the village school district of Baltimore, Fairfield county, Ohio, to rent the unoccupied part of the school-house in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village school district of Baltimore, in Fairfield county, Ohio, be and it is hereby authorized to furnish the second story of the school building of said village district not used or needed for school purposes, with suitable heating stoves, lights and suitable furniture and conveniences for public meetings and entertainments, and shall have power to rent said second story or such part of said second story as may not be used for school purposes by day or night for proper purposes, for such terms as said board may think reasonable; but no part of the school levy shall be used for the purpose of fitting up or furnishing said building for said purpose, neither shall any tax levy be made for that purpose, and all moneys received for rent of same shall, after th

payment of the expenses of fitting up, furnishing, heating and lighting the same, be paid over to the treasurer of said board of education and be credited to the general school fund of said district; provided, that whenever it becomes necessary that all of said building shall be used and required for school purposes, the same shall be no longer used for any other purpose.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 574.]

AN ACT

To authorize the commissioners of Logan county, Ohio, to provide for the deficiency in the county funds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Logan county, Ohio, for the purpose of meeting and providing for a deficiency in the county funds of said county are hereby authorized to issue bonds in an amount not exceeding $25,000.00. Said bonds shall bear a rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall be of such denominations, from five hundred to one thousand dollars each, and shall be due and payable, at such times, not exceeding three years as the commissioners may determine, and said bonds shall be issued and sold according to law.

SECTION 2. The bonds and interest on said bonds shall be paid out of the additional tax provided for in the act of April 17, 1885, entitled "an act to authorize the commissioners of Logan county to levy an additional tax for general county purposes."

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 578].

AN ACT

To authorize the village of Fostoria, Seneca county, Ohio, to issue bonds for the purpose of building a jail.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Fostoria, Seneca county, Ohio, be and is hereby authorized and empowered to issue bonds not to exceed in amount three thousand five hundred dollars, for the purpose of building a jail. Said bonds shall

be of such denominations, and shall bear such rate of interest, not exceeding six per cent. per annum, payable semi-annually, and shall mature at such times as said council shall determine; said bonds shall not be sold at less than their par value.

SECTION 2. That for the purpose of paying said bonds and interest, the said council is hereby authorized to levy a tax upon all the taxable property of said village, and such levy may, at the discretion of said council, be in addition to the limitation now imposed by law. Said tax shall be levied and collected in the same manner as taxes for general purposes are now levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 579.]

AN ACT

To provide for the issue and payment of bonds by the commissioners of Mercer county to meet and provide for a deficiency in the levy of the bridge fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Mercer county to meet and provide for a deficiency in the bridge fund for said county, be and they are hereby athorized to issue the bonds of said county for any amount not exceeding fifty thousand dollars ($50,000), in such sums and payable at such times not exceeding fifteen years from the date thereof, as may be deemed best by said commissioners, bearing interest not to exceed six per centum per annum, payable semi-annually, and said bonds shall not be sold for less than their par value.

SECTION 2. That for the payment of the interest on and for the final redemption of said bonds, the commissioners of said county are hereby authorized to levy taxes upon all the taxable property of said county at such a rate not exceeding one mill in addition to levies for road and bridge purposes now authorized by law, on each dollar of taxable property in said county, as may be found necessary to pay the interest on said bonds and provide a sum sufficient to redeem and pay the same as they become due and payable. Said bonds shall be signed by the county commissioners, or any two of them, and countersigned by the county auditor.

SECTION 3. This act shall take effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 580.]

AN ACT

To authorize the incorporated village of West Jefferson, Madison county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of West Jefferson, Madison county, Ohio, be and it is hereby authorized to transfer to the street fund of said village the following sums, to-wit: from the general revenue fund, four hundred dollars; sewer fund, four hundred dollars; fire fund, one hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 585.]

AN ACT

To authorize the trustees of Athens township, Athens county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Athens township, Athens county, Ohio, be and they are hereby authorized to transfer from the township fund of said township to the bridge fund thereof, the sum of five hundred dollars.

SECTION 2. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 11, 1886.

[House Bill No. 604.]

AN ACT

To divide Paint township, Fayette county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Paint township, Fayette county, Ohio, be divided into two election precincts; the following boundaries shall embrace and hereby is constituted an election precinct, to be known and designated as the Bloomingburg precinct, with place of holding election at Bloomingburg, viz: Beginning at a stone on the west side of the Bloomingburg cemetery and corner of Union and Paint townships; thence along the west line of said cemetery S. 24½° E. 5.14 chains to a stone corner to said townships; thence N. 67° 35′ E. 7.00 chains to a stone on the west side of the Bloomingburg and Washington pike and corner of said townships; thence N. 22° 25′ W. 3 82 chains to a stone corner of said town-

ships; thence N. 78¼° E. 69.71 chains to a stone corner of said townships and in the line of Marion township; thence N. 5° 25′ E. 106.38 chains to a stone corner to Marion, Madison and Paint townships; thence with the line of Paint and Madison townships N. 5½° W. 9.43 chains to a point in the center of a county road leading from the White Oak pike to the Jones pike; thence with the center of said county road N. 47¾° W. 36.40 chains; N. 49° W. 10.63 chains; N. 48¼° W. 26.26 chains to the intersection of said Jones road with the county road; thence with the Jones road S. 43° 25′ W. 48.94 chains to the corner of D. B. Cook and W. J. McCoy; thence N. 50¾° W. 14.50 chains to a stone corner of said Cook and McCoy; thence S. 48½° W. 12.58 chains to a stone corner to said Cook and McCoy; thence N. 46¼° W. 5.45 chains to the center of the Danville pike; thence with the center of said pike S. 12° 25′ W. 22.58 chains to a point in said pike; thence S. 15° E. 11.92 chains to a point in said pike and corner to Thos. Yore; thence N. 72½° E. 2.99 chains to a stone corner to said Yore and W. J. McCoy; thence S. 49° E. 38.29 chains to a stone corner of Geo. Stewart and Larimer and in the line of Henry Casey; thence S. 73° W. 17.62 chains to a stone corner to Stewart, Lucas and Larimer; thence N. 27° W. 10.45 chains to a stone corner to said Lucas and Larimer; thence S. 66½° W. 3.57 chains; thence S. 79½° W. 5.58 chains to the center of the Danville pike; thence with the center of said pike S. 1¾° E. 10.76 chains to a stone corner of Lucas and in the line of Geo. Stewart; thence with Stewart's line S. 73½° W. 96.00 chains to a stone corner of said Stewart and James M. Willis; thence S. 30¼° E. 9.20 chains to a stone corner of said Willis and D. E. Boise and in the line of George Stewart; thence S. 41¼° W. 23.61 chains to a stone corner to Boise and Willis; thence S. 17° W. 10.90 chains to a stone corner to said Boise and the Squires' estate S. 49¼° 37.00 chains to a stone corner to B. Green's survey No. 6377; thence S. 19½° E. 28.15 chains to a point in line between Paint and Union township; thence N. 78¼° E. 155.83 chains to the beginning.

SECTION 2. That all that part of said township not included within the boundary lines set out in section 2 of this act shall be and is hereby constituted an election precinct, to be known and designated as Paint precinct of said township with place of holding election at the present place of voting in said township.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed May 12, 1886.

[Senate Bill No. 223.]

AN ACT

To amend an act entitled "an act to authorize the commissioners of Muskingum county to build a bridge across the Muskingum river," passed February 26, 1884, (O. L. v. 81, p. 233.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of the act entitled "an act to authorize the commissioners of Muskingum county to build a bridge across the Muskingum river," passed February 26, 1884, be amended to read read as follows:

SEC. 1. That the county commissioners of Muskingum county, Ohio, be

and they are hereby authorized and empowered to build a bridge across the Muskingum river, as nearly at right angles with the current thereof as may be practicable, from a point on the east bank of said river within one-half mile above or one-half mile below "the old Henderson warehouse," (so known and called), in the village of Gaysport, in said county, to a point on the opposite bank of the river, as near the ferry landing as practicable.

SECTION 2. That the original section 1 of said act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

S. A. CONRAD,
President pro tem. of the Senate.

Passed May 12, 1886.

[House Bill No. 236.]

AN ACT

To authorize the village of Findlay, in Hancock county, Ohio, to borrow money and issue its bonds therefor, for the purpose of sinking wells for natural gas, purchasing and laying pipes, and supplying said village and the citizens thereof with natural gas for public and private use and consumption.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Findlay, in Hancock county, Ohio, be and it hereby is authorized to issue its bonds for an amount not exceeding forty thousand dollars for the purpose of sinking wells for natural gas, purchasing and laying pipes and constructing the necessary buildings, fixtures and machinery to supply such village and the citizens thereof with natural gas for public and private use and consumption.

SECTION 2. Before such bonds or any of them shall be issued, the question of issuing the same shall be submitted to a vote of the qualified electors of such village at a special election to be held at such time as the council of such village shall appoint. The tickets voted shall have written or printed thereon the words "Authority to issue bonds—Yes;" or, "Authority to issue bonds—No." If the proposition to issue bonds be approved by a majority of those voting upon the proposition, the village shall have authority to issue such bonds for the purpose named as provided in this act.

SECTION 3. The council of such village, within ninety days after the passage of this act, shall publish notice of the submission of such question in two newspapers published in such village, for at least ten days prior to such election, and such election shall be held in all respects, not otherwise herein provided, as municipal elections are now required by law to be held in such village.

SECTION 4. Such bonds, when so authorized, shall be issued by the council of such village in denominations not less than one hundred or more than five hundred dollars, payable in such times, not exceeding twenty years, as the council shall provide, with interest not exceeding six per cent. per annum, payable semi-annually, principal and interest payable at such place as the council may determine; they shall express upon their face the purpose for which, and the act under which issued, and shall be signed by the mayor, and counter-

signed and registered by the clerk of the village, and shall not be sold for less than their face value.

SECTION 5. No more of such bonds shall be issued or sold than is necessary for, and required by the actual and necessary cost and expense of sinking such number of wells as may be required for the purpose named, the purchase and laying of pipes and other necessary expenses; they shall be sold from time to time as the works progress, and in such amounts as shall be required and made necessary by the progress, and for the proper completion of the works; and all proceeds and moneys arising from such bonds shall be used exclusively for and applied to the payment of the work, labor, material, and other expenses necessary for the supply of gas for the purpose aforesaid.

SECTION 6. All moneys collected or received by the trustees of gas works of such village, from the village or the citizens thereof, for gas furnished and consumed for public or private use, and all net income, revenue, and profits arising therefrom shall be pledged and applied to the payment of such bonds and interest; and the council of such village is hereby authorized to levy a tax annually, not exceeding three mills on the taxable property within such village, in addition to the tax now by law authorized to be levied, in such amo) will each year be sufficient to pay the principal and interest then falling due upon such bonds, and provide a sinking fund for the gradual extinguishment of such bonds.

SECTION 7. All moneys so applicable to the payment of such bonds, which shall come into the hands of such board of trustees before such bonds, or any of them become due, shall be used to purchase such bonds, or invested under the order of the council as a sinking fund to be applied to the payment of such bonds as they become due.

SECTION 8. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 13, 1886.

[House Bill No. 541.]

AN ACT

To authorize the trustees of Willoughby township, Lake county, Ohio, to build an iron fence round soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Willoughby township, Lake county, Ohio, are hereby authorized to transfer two hundred and fifty dollars ($250.00) from the general fund of said township, or from any other fund having an unexpended balance, and use the same to build an iron fence round the soldiers' monument in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 13, 1886.

[House Bill No. 582.]

AN ACT

To authorize the council of the village of Willoughby, Lake county, Ohio, to issue bonds for the purpose of completing a road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Willoughby, Lake county, Ohio, is hereby authorized to issue the bonds of said village, not to exceed one thousand dollars, bearing interest at six per centum per annum, and not running longer than two years from their date, for the purpose of completing a certain road now being built within the limits of said village, and for the purpose of paying said bonds and interest, the council shall levy a sufficient tax upon all the taxable property of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 13, 1886.

[House Bill No. 595.]

AN ACT

To authorize the extension of time of collecting the assessments for the Adena, Mt. Pleasant and Martin's Ferry turnpike corporation in Belmont and Jefferson counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the road commissioners of the Adena, Mt. Pleasant and Martin's Ferry turnpike corporation, and the commissioners and auditors of Belmont and Jefferson counties of Ohio, be and are hereby authorized and empowered to extend the time of assessment and collection of the ten mills to be collected for the year A. D. 1886, for said turnpike corporation; said extension of time not to exceed five years, and said road commissioners to fix the amount to be collected each year.

SECTION 2. This act to be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 13, 1886.

[Senate Bill No. 202.]

AN ACT

To authorize the trustees of Northfield township, Summit county, to issue bonds for the purpose of improving certain public roads in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Northfield township, in Summit county, are hereby authorized to issue the bonds of said township to an amount not to exceed twenty thousand dollars ($20,000), in sums of not less than one hundred dollars ($100) each, nor

more than five hundred dollars ($500) each, bearing interest at not more than six per cent. (.06) per annum, payable annually, which bonds shall be made payable in not less than three (3) nor more than ten (10) years from the date of their issue, and the proceeds of which shall be used to improve and gravel, under the supervision of said trustees, the north and south and the east and west center roads of said township, and the road known as the Snatchpenny road, running from what is known as Lemon's Corners westerly to the north line of said township, and the diagonal road leading southeasterly from the center of said township to the south line of said township, and for no other purpose.

SECTION 2. The trustees of said township, within sixty days after the passage of this act, shall hold an election in said township, called by said trustees, for the purpose of which a written or printed notice shall have been posted on the front door of the town hall and on the front door of all public schoolhouses in said township not less than ten days prior to said election, which said election shall be conducted in all respects under the general election laws of the State of Ohio as far as the same are applicable; the ballots to be used at said election shall read, "For road improvement bonds," and "Against road improvement bonds," and if at said election a majority of the ballots cast shall read, "For road improvement bonds," then and not otherwise said trustees shall exercise the authority vested in them by the first and third sections of this act.

SECTION 3. The trustees of said township are hereby authorized and required to levy a tax on all the taxable property within said township sufficient to pay said bonds and the interest thereon as the same shall become due.

SECTION 4. This act shall take effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[Senate Bill No. 212.]

AN ACT

To authorize the commissioners of Auglaize county to sell the present poor farm and infirmary buildings, and to issue bonds and levy a tax for the purpose of building a new infirmary, and to purchase new grounds for poor farm purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Auglaize county be and they are hereby authorized to sell, either at private sale, or at public vendue, as may seem to them best, and to the highest bidder or bidders (and on reasonable selling terms), what is now known as the poor farm of said county, together with the buildings thereon; and said commissioners are hereby empowered to convey, by proper deed, to said purchaser or purchasers, the lands so by them sold.

SECTION 2. That the county commissioners of Auglaize county be, and they are hereby authorized to borrow money, not to exceed thirty-five thousand dollars, for the purpose of buying lands to be used as a county farm for the poor, and for the purpose of erecting thereon an infirmary and other necessary buildings.

SECTION 3. For the purpose of paying the amount mentioned in the second section of this act said commissioners are authorized to issue the bonds of said

county for said amount in such denominations and payable at such times as said commissioners may determine, said bonds to bear interest at a rate not to exceed six per centum per annum, payable semi-annually, and shall not be sold for less than their par value.

SECTION 4. For the purpose of paying said bonds as the same may mature, said county commissioners are hereby authorized to levy a tax, in addition to the taxes now authorized by law, upon all the property upon the grand duplicate of said county.

SECTION 5. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[Senate Bill No. 225.]

AN ACT

To authorize the board of commissioners of Greene county, Ohio, to purchase certain toll-roads in said county, and to issue bonds for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Greene county, Ohio, be and is hereby authorized and required to purchase all the toll-roads within said county, as hereinafter provided.

SECTION 2. The said board of county commissioners shall, within thirty days after the passage or this act, appoint three competent disinterested freeholders of said county of Greene, to act as appraisers of said toll-roads, who shall, before entering upon the discharge of their duties, take an oath to faithfully and impartially discharge the duties required of them by law, and within fifteen days after their said appointment, proceed, and upon actual view, appraise separately each of the toll-roads in said county, together with all the bridges, culverts, and necessary fills thereon, at their actual cash value, and after deducting from said appraisement the present actual cash value of any and all bridges, culverts and fills built or made by said county, or by any subscription or contribution made by said county toward the construction of the same, and within thirty days after their appointment, return in writing to the said board of commissioners the said appraisement, which shall contain a detailed statement of each item so appraised, and the actual cash value of each road-bed less the right-of-way of said road-bed; the said appraisers shall each receive three dollars per day for their services as such appraisers.

SECTION 3. Upon said appraisement being made and returned as aforesaid, the said commissioners shall, if they deem the valuation so made and returned of any of said roads reasonable, make a proposition to the owner or owners of the same for the purchase thereof at an amount not to exceed the actual cash value reported by said appraisers, and if such proposition is accepted the said commissioners shall take conveyance thereof from such owner or owners, and thereafter said road or roads shall become free roads, and to be kept in repair as other roads that have been made free in said county; provided, however, if in the opinion of the commissioners, any appraisement made and returned to them is unreasonable, they may appoint, from time to time, such other board or

boards of appraisers having the same qualifications, and whose duties and obligations shall be the same as the appraisers first appointed, until such appraisement is made and returned as will enable said board of commissioners to accomplish the object sought by this act.

SECTION 4 The said board of commissioners is hereby authorized to apply so much of the surplus of the road and bridge funds in the treasury of said county as may be necessary, in payment for said roads; provided, that in case there is not a sufficient amount of said surplus funds to pay for said roads and the costs and expense incident to the purchase of the same, the said board of commissioners is hereby authorized to issue and sell, at not less than their par value, the bonds of the county for the payment of the same, or any balance thereof; said bonds to be issued in such amounts and payable at such time or times as the board of commissioners may determine, and bear interest at a rate not to exceed six per cent. per annum, payable annually.

SECTION 5. For the purpose of paying the bonds, and the interest thereon, that may be issued in pursuance of the provisions of this act, the said board of commissioners are hereby authorized and empowered to levy, annually, a tax on the taxable property in the county, and cause the same to be placed upon the grand duplicate for collection, for such amount as in their opinion will be necessary to pay off said bonds and the interest thereon as the same becomes due and payable.

SECTION 6. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[Senate Bill No. 227.]

AN ACT

To authorize the incorporated village of Avondale, Hamilton county, to issue bonds and levy a tax for the purpose of laying water pipes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the incorporated village of Avondale, Hamilton county, by a two-thirds vote of all the members of its council, be authorized to issue bonds, in a sum not exceeding seventy-five thousand dollars, for the purpose of laying water pipes in the streets, for supplying the citizens with water; said bonds to be signed by the mayor and countersigned by the clerk, and to be for sums not less than five hundred dollars, and not more than one thousand dollars each, and bearing interest at a rate not exceeding five per cent. per annum, payable semi-annually, the principal and interest of said bonds to be payable at such bank in the city of Cincinnati as the council may direct; provided, that said bonds shall not be sold for less than their par value.

SECTION 2. That for the purpose of paying said bonds, and the interest thereon, as the same becomes due, the council is hereby authorized and empowered to levy and assess a tax on the taxable property of said village, annually,

commencing with the year 1886, as shall be sufficient to pay the principal and interest of said bonds as they become due; and the money so raised shall not be used for any purpose other than paying said bonds and the interest thereon; provided, that the question of issuing said bonds shall first be submitted to a vote of the qualified electors of said village, at some general or special election held in said village, ten days' notice whereof shall have been given by posting written notices in five public places in said village; and if a majority of the votes cast at said election shall be in favor of issuing said bonds, the council shall have the authority to issue the same as hereinbefore provided.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[House Bill No. 563.]

AN ACT

To authorize the commissioners of Paulding county, Ohio, to issue bonds and to levy additional taxes to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Paulding county, Ohio, be and the same are hereby authorized to issue the bonds of said county not to exceed the amount of twenty thousand dollars, to pay existing indebtedness of said county, for bridge, jail and general county purposes; said bonds shall be issued at such time and in such sums as said commissioners may think proper, and shall be made payable at any time within eight years from date of issue; said bonds shall bear interest at a rate not exceeding six per cent. per annum, which interest shall be paid semi-annually, and when so issued shall not be sold for less than par value.

SECTION 2. The commissioners of said county are hereby authorized in the years 1887, 1888, 1889, 1890, 1891, 1892, 1893 and 1894 to levy a tax in addition to that authorized by law, not exceeding one and one-half mills on the dollar, on all taxable property of said county, to pay said bonds and interest as they mature.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[House Bill No. 613.]

AN ACT

To authorize the city council of the city of Columbus to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Columbus be and they are hereby authorized and empowered to transfer two thousand dollars ($2,000) from the general expense fund to the dam fund of said city.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[House Bill No. 619.]

AN ACT

To authorize the commissioners of Marion county to levy a tax for the purpose of erecting a memorial chapel in said county in memory of soldiers and sailors serving in the rebellion and other wars.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Marion county, Ohio, may in the year eighteen hundred and eighty-six, levy a tax of one mill on each and every dollar on the grand duplicate of said county, for the purpose of erecting a memorial chapel within said county in memory of the soldiers and sailors of said county who served in the army or navy of the United States during the war of the rebellion and in other wars.

SECTION 2. The levy so made shall be collected in the same manner and form as taxes for other purposes, and the county treasurer of said Marion county, shall pay the same or any part thereof when collected by him, to the treasurer of the Soldiers' Monumental Association, incorporated in said county for the purpose aforesaid.

SECTION 3. The treasurer of said association shall give a bond payable to the State of Ohio, in the sum of twenty thousand dollars, with sureties to be approved by the commissioners of said county conditioned that the treasurer of said association shall fully account for all of the moneys arising from the levy aforesaid, which shall come to his hands, and shall faithfully pay out the same for the purpose mentioned in the first section of this act, and said bond shall be deposited with the auditor of said county, and by him safely kept.

SECTION 4. The erection and construction of said memorial chapel shall be under the supervision and control of the trustees of said association or of a committee or committees appointed by them; and said trustees shall have full power to erect said memorial chapel at any place within said county as they may determine, and according to such plans and specifications as they may adopt; provided, however, that no compensation or commission, direct or indirect, shall be allowed or paid to any of said trustees or the treasurer of said association, from the funds arising under the authority of this act, for the receipt and disbursement of said funds or the custody thereof, or for labor

performed or services rendered in any manner or form in the erection and construction of said memorial chapel.

SECTION 5. This act shall take effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 14, 1886.

[Senate Bill No. 53.]

AN ACT

To facilitate the surrender of certain leases of ministerial lands in the Ohio company's purchase, in Vinton county, Ohio, and to repeal the act entitled "an act to authorize the Zaleski company to surrender certain leases of ministerial lands," passed May 2, 1885.

WHEREAS, The Zaleski Company, a corporation of this State, in the year 1857, became the owner, by assignment and conveyance, of certain leasehold interests granted by the trustees of the original surveyed township number ten, in range number sixteen, Ohio Company's purchase, in what is now the county of Vinton, for the term of ninety-nine years, renewable forever, in the following lands situate in said county of Vinton, to wit: Two hundred and six acres off the west side of section number twenty-nine (29), township number ten (10), range number sixteen (16), Ohio Company's purchase; and also a certain other tract of land commencing at the south-east corner of the above described tract; thence east 164 rods to a white oak; thence north eighty rods to a hickory; thence west to the east line of the above described tract; thence south to the place of beginning, containing 82 acres. Both said tracts containing in the aggregate 288 acres, and being what are known as ministerial lands; and

WHEREAS, A vote of the authorized voters of said township, wherein said lands are situate, has been taken according to law, resulting in favor of selling said lands; and

WHEREAS, A portion of said leased lands was laid off into town lots, and became, and now is a portion of the town of Zaleski, in said county; and

WHEREAS, Many of said town lots, and many parts of said lands, not laid off into town lots, have been sold, and granted by said Zaleski Company to sundry persons, in fee simple for value, and conveyances made accordingly, in many instances with covenants of seizure and general warranty; and

WHEREAS, It is desirable that the surrender of said leasehold interests, in whole or in part, and the sale of said lands as authorized by the vote aforesaid, shall be made in such manner as to enable the said "The Zaleski Company," and said several purchasers from it, of lots and lands, and their respective heirs and assigns, to preserve and protect their several equitable interests therein, and to perfect their respective titles thereto, in fee simple; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That on the filing, (with the consent of the trustees of said original surveyed township number ten, range number sixteen, Ohio Company's purchase,) by the said "The Zaleski Company" of its petition, on behalf of itself and its said grantees, their heirs or assigns, respectively, in the court of common pleas, in and for Vinton county, Ohio, setting forth a description of the premises so

held under lease, the dates of said leases, to whom made, and to whom transferred, and the nature of the title by which said lots and lands granted by said Zaleski Company are now held, as well as those still retained by said company, with a proper description of said several lots and parcels of land, and a statement of the persons severally entitled thereto; that said company is desirous, on behalf of itself and its grantees, their heirs and assigns, of surrendering said leases, and of securing to itself, and to its several grantees, their heirs and assigns aforesaid, the ownership of said lots and lands in fee simple for the purpose set forth in the preamble of this act; and asking the court to appoint three disinterested freeholders of said county, not residents of said township number ten, range sixteen, to value all said leased lands separately, by lots and parcels, according to their ownership aforesaid, and for such further proceedings as are authorized by this act; the court on being satisfied of the truth of the facts in such petition alleged, shall appoint such appraisers, who shall forthwith proceed under oath to make a just valuation of said leased lands separately, by lots and parcels, according to their ownership aforesaid, in money, without reference to the improvements made thereon, under and by reason of said leases, and shall return such valuation in writing to said court; and the court, if it is satisfied that said valuation is just, shall confirm the same, and order it with the petition, and other proceedings therein to be recorded; and thereupon, the said "The Zaleski Company," and its said grantees, their heirs or assigns, shall respectively be permitted to release to the State all its or their several interests, title and claim in, to, and under such leases for the benefit of the township to which the same belong, in the manner and within the time prescribed by section number 1428 of the Revised Statutes of Ohio, and upon like terms of payment as now allowed. And upon full payment made by those entitled to said lands respectively, or by the Zaleski Company, on behalf of its grantees, their heirs or assigns, they shall severally be entitled to final certificates of payment, and receive from the State deeds in fee simple for the respective lots or parcels of land so surrendered and paid for, in accordance with the provisions of law now in force relating to the surrender of permanent leases, and the purchase of the fee of premises so previously held by lease.

SECTION 2. The act entitled "an act to authorize the Zaleski Company to surrender certain leases of ministerial lands," passed May 2, 1885, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 558.]

AN ACT

To authorize the governor of the State of Ohio, to convey by deed to Mary G. Bradford, of Montgomery county, Ohio, a fraction of an acre of land in the north-east quarter of section 32, town 2, range 7, Miami rivers, Montgomery county, Ohio.

WHEREAS, the board of managers of the Dayton asylum for the insane and Mary G. Bradford and James J. Bradford have heretofore entered into an agreement, that in consideration of the sale of 4 68-100 acres of land in the

south-east quarter of section 32, town 2, range 7, between Miami rivers, by said Mary G. Bradford and James J. Bradford to the State of Ohio, and in consideration of the sum of eighty-five dollars withheld from said purchase money in pursuance of said agreement, as appears in the written contract, entered into by said board of managers and Mary G. Bradford, dated July 17, 1885, recorded in book 144, page 237 of the deed records of Montgomery county, Ohio, and in order to adjust the lines between the lands of the State of Ohio, and said Mary G. Bradford, and it appearing in said contract that the said Bradfords were moved and induced by the offers of the agents of the State to make the conveyance of the land so sold by them to the State of Ohio, in consideration of the recommendations of the agents of the State of Ohio to cause to be conveyed by them the real estate described as follows, to wit: Being a parcel of land situate in the north-east quarter of section 32, town 2, range 7, M. R. bounded by beginning at the intersection of the section line of and the center of the Dayton and Wilmington turnpike, thence north 48½°, west 180.8 feet, thence north 5½°, east 166 feet, thence southwardly along the section line to the place of beginning, containing 34-100 of an acre; and

WHEREAS, Said Mary G. Bradford and James J. Bradford have agreed to pay all costs and expenses that may be caused by the conveyance to Mary G. Bradford; and

WHEREAS, The sum of eighty-five dollars is still in the treasury of the State of Ohio, said eighty-five dollars being the price agreed upon for said parcel of land.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor of the State of Ohio be and he is hereby authorized to convey by deed in fee simple to Mary G. Bradford the real estate above mentioned: Bounded and described as follows, to wit: Situate in the State of Ohio and in the county of Montgomery and Van Buren township, being a parcel of land situated in the north-east quarter of section 32, town 2, range 7, Miami rivers, beginning at the intersection of the section line and the center line of the Dayton and Wilmington turnpike road, thence north 48½°, west 180.8 feet, thence north 55½°, east 166 feet, thence southwardly along the section line to the place of beginning, containing 34 100 of an acre.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[Senate Bill No. 250.]

AN ACT

To authorize the council of the village of Glenville, Cuyahoga county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Glenville, Cuyahoga county, Ohio, be and the same is hereby authorized and empowered to transfer from the fire and water

fund of said village to the street fund of said village, the sum of two thousand one hundred and three dollars and twenty-eight cents.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 871.]

AN ACT

To authorize the city council of Massillon, Ohio, to issue bonds for the purpose of providing said city with a system of water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Massillon, in the county of Stark, State of Ohio, be and is hereby authorized and empowered to issue the bonds of said city in any sum actually needed for the purpose, but in no case exceeding one hundred and fifty thousand dollars, bearing interest at a rate not exceeding five per cent. per annum, payable semi-annually, and be of such denominations as the city council shall by resolution prescribe, but not less than one hundred dollars each, and shall be made payable at such times as the said council shall by resolution prescribe, but not more than thirty years from this date, and which bonds shall not be sold for less than par in cash, the proceeds of said bonds shall be used for the purpose of buying the necessary land and material and constructing thereon and therewith a system of water-works for said city, and for no other purpose, the said bonds shall be signed by the president of said council and attested by the clerk thereof and the seal of the city, and when said bonds are sold the proceeds shall be paid to the treasurer of said city, who shall hold and disburse said proceeds as other city funds are by him held and disbursed.

SECTION 2. If any bonds of said city be issued as hereinbefore provided, it shall be the duty of the council of such municipal corporation, annually thereafter, until the same and interest thereon shall be fully paid, to assess and levy a tax on all the taxable property of the corporation sufficient to provide for the payment of the interest accruing upon the bonds so issued, and to create a sinking fund for the payment of the principal of the bonds as they fall due.

SECTION 3. Provided, before said bonds are issued the city council shall submit the proposition to the electors of said city at some general election, or at some special election to be held for that purpose, at such time as a majority of said council shall by resolution determine, notice of which shall be given, and of the time and places of holding said election, and the amount of bonds to be issued, at least ten days prior to the time of holding such election, in at least two newspapers of general circulation in said city, and the form of the ballot shall be as follows: Those in favor of the construction of water-works and the issuing of said bonds shall have written or printed upon their ballots: "Water-works—Yes": Those who are opposed to the construction of water-works and the issuing of said bonds shall have written or printed upon their ballots: "Water-works—No." The election shall be held in accordance with the election laws of the State; but the poll-books and returns thereof shall be made to

the city clerk who shall present them to the city council at the next regular meeting thereof, when the same shall be opened and canvassed, and the result declared and entered upon the minutes of said council, and if it shall appear that a majority of the ballots cast at said election were in favor of water-works and the issuing of said bonds, then the council shall proceed to issue said bonds and not otherwise. Provided however, before issuing any of said bonds or contracting any liabilities whatever, the council shall fix, by ordinance, on what streets said water pipes shall be laid, giving dimensions, quantity and kind of pipe to be used, the number of fire plugs, the distance from each other, the height to which the water is to be raised above the level of the Ohio canal, which shall be of sufficient height to conduct water to any part of the city, and the number of miles of pipe to be laid, which shall not be less than sixteen (16) miles, and such other matters as will be necessary to have a complete and sufficient system of water-works. After the passage and publication of said ordinance as prescribed by law, the council or water-works trustees shall advertise for sealed proposals in accordance to said ordinance, and if is ascertained upon the opening of said bids that the said water-works can be built complete in every respect, and that good and responsible parties will enter into the contract with a good and sufficient bond that they will build said water works for a sum not to exceed one hundred and fifty thousand dollars ($150,000), then said council or water-works trustees may enter into a contract, and the council may issue the bonds as herein provided and not otherwise. Provided further, that before issuing said bonds for the purpose of the city building new water-works they shall advertise at the same time for proposals from private companies whether such private company have water-works already erected or that may hereafter erect which shall be in accordance with the ordinance, and if it is ascertained that it would be to the interest of the city to contract with any private company, they shall have the power to do so for a term not exceeding twenty years.

SECTION 4. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 537.]

AN ACT

Authorizing the commissioners of Noble county to assist the Soldiers' Memorial Hall Association of said county in erecting a soldiers' memorial hall, and to issue bonds for said purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Noble county be and the same are hereby authorized to assist the Soldiers' Memorial Hall Association of Noble county in erecting a memorial hall at the county seat of said county in commemoration of the soldiers of said county who served during the war of 1861, subject to the provisions of this act.

SECTION 2. For said purpose said commissioners are hereby authorized to borrow such a sum or sums of money as they shall deem necessary, not less than nine thousand dollars, and not more than twelve thousand dollars, at a rate of nterest not to exceed seven per cent. per annum, and issue bond of said county

to secure the payment of the principal and interest thereon; such interest shall be paid semi annually, and the principal shall be paid at such times as the commissioners shall prescribe, within ten years from the date of such indebtedness; said bonds to be sold for not less than their par value.

SECTION 3. Said bonds so issued shall be signed by the commissioners, or any two of them, and countersigned by the auditor, with coupons attached, in sums of not less than one hundred and not more than one thousand dollars each, payable to bearer at the county treasury, with interest as aforesaid, at such times, not exceeding ten years from date, as the commissioners may prescribe; and such bonds shall specify distinctly the objects for which they were issued.

SECTION 4. The commissioners shall, annually, at their June session, levy such tax as will pay the interest on such indebtedness, and the principal as it matures.

SECTION 5. Provided, that no bonds shall be issued or money borrowed under the provisions of this act until the question of issuing the same shall have been first submitted to the qualified electors of said county, and a majority of such qualified electors voting at the election shall have voted "Soldiers' memorial aid—Yes." Such question may be submitted to the said electors at the fall election, by said commissioners, by giving thirty days' public notice by advertisement in one or more newspapers of general circulation in said county, and published in said county, at least thirty days previous to said election, specifying therein the amount of bonds proposed to be issued, the time of payment of the same, and the rate of interest of the same, together with the purpose for which the same are to be issued; said notice shall also state that each voter shall indorse upon his ballot "Soldiers' memorial aid—Yes," or "Soldiers' memorial aid—No."

SECTION 6. Provided, also, that before borrowing any money or issuing any bonds under this act, the Soldiers' Memorial Hall Association of Noble county shall furnish security in the name of the State of Ohio for the use of said county in the sum of thirty thousand dollars, conditioned for the faithful expenditure by said corporation of said money, in the erection of a memorial hall at the county seat of said county, in commemoration of the soldiers of said county who served during the war of 1861; the aforesaid security must be to the acceptance of said commissioners.

SECTION 7. After said bonds are issued and said money borrowed, said money shall be turned over to said corporation, to be by it applied to the purpose aforesaid.

SECTION 8. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 544.]

AN ACT

To authorize the commissioners of Adams county, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to-wit: Beginning in the road

leading from Locust Grove to Hillsboro, at Louden, and pursuing the Louden and Sinking Springs road to the middle fork of Brush creek; thence up said middle fork on the south-west side thereof on the most practicable route to the Highland county line, to intersect the middle fork and Hillsboro proposed turnpike road.

SECTION 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax not exceeding two mills on the dollar, annually, on all the taxable property of said county for the purpose of paying said bonds and interest thereon.

SECTION 3. A majority of said commissioners may, at any regular or special session, agree upon plans and specifications, and order said improvement or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 576.]

AN ACT

For the relief of William Braun, treasurer of Amherst township, Lorain county, Ohio.

WHEREAS, William Braun, as treasurer of Amherst township, in Lorain county, it being a township not provided with a "good fire and burglar-proof safe," did, as the law permits, and with the consent of the trustees of said township, on and before September, 1885, deposit the funds belonging to said township, for the year 1885, in the bank of North Amherst, to the amount in the aggregate of $1,520.53; and

WHEREAS, Said bank did make an assignment on the 19th day of October, 1885, and on the 14th day of April, 1886, did pay upon its deposits the sum of fifty per centum thereof, which amount thus paid covers the entire assets of said bank; and

WHEREAS, At the regular township election held in said township, April 5th, 1886, after due notice had been given thereof, the qualified electors decided to release said treasurer from all liability for the sum remaining unpaid by said bank, by a vote of 296 for such release, and 68 against the release; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Amherst township, Lorain county, Ohio, are hereby authorized to release William Braun, treasurer of said township, and his official sureties as treasurer thereof, from the payment of $760.26, belonging to the township

funds of said township, which were deposited in the bank of North Amherst at the time of its suspension.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No 577.]

AN ACT

To amend sections 2, 3, [4], 5, 6, 7 and 8 of an act entitled "an act to incorporate the First Presbyterian congregation in the town of Wellsville, in the county of Columbiana," passed January 11, 1833, (Ohio Laws, vol. 31, page 28).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2, 3, [4], 5, 6, 7 and 8 of an act entitled "an act to incorporate the First Presbyterian congregation of Wellsville, in the county of Columbiana," passed January 11, 1833, be amended so as to read as follows:

SEC. 2. That the said congregation by the name and style aforesaid, shall be capable in law of holding property, real, personal or mixed, either by purchase, gift, grant, devise, or legacy, which may become the property of the congregation; provided, that the annual income of all such property shall not exceed the sum of two thousand dollars; and provided, also, that all such property shall be considered and held in trust, under the management and at the disposal of said congregation for the purpose of promoting the interests of said congregation, defraying the expenses incident to their mode of worship, and maintaining any institutions of charity or education that may be therewith connected; provided, moreover, that when money or other property shall be given, granted, bequeathed, or devised to said congregation, for any particular use or purpose, it shall be faithfully applied to such use or purpose. The property and other concerns of the congregation shall be under the management and control of trustees, to be appropriated agreeable to the directions of the congregation. A majority of the trustees shall be a quorum for the transacting of business.

SEC. 3. That on the second Wednesday of November, one thousand eight hundred and eighty-six, there shall be elected by said congregation six trustees, one treasurer, and one secretary; the treasurer and secretary to serve for one year, or until their successors shall be elected and accept; two trustees to serve for one year, two to serve two yeors, and two to serve for three years, or until their successors shall be elected and qualified, and on the second Wednesday in November in each and every year thereafter there shall be elected by said congregation, two trustees, one treasurer and one secretary; the treasurer and secretary to serve for one year, or until their successors shall be elected; the trustees to serve for three years, or until their successors shall be elected and qualified. In case of vacancy occurring from any cause in the board of trustees (or offices of treasurer or secretary), the board of trustees shall, at their first regular meeting thereafter, appoint one to fill the unexpired term.

SEC. 4. That all elections of the congregation shall be by ballot, and the person or persons having a majority of the votes shall be considered duly elected. All members, together with all regular supporters of the congregation

shall have equal suffrage, and all matters of the congregation shall be determined by a majority of those entitled to vote, present and voting, at any meeting of the congregation duly assembled.

SEC. 5. That the trustees, or any three of them shall have power to call a meeting of the congregation, either for the election of officers (or for transacting any other business of the congregation) by giving or causing to be given to the congregation at any meeting for public worship not less than ten days' previous notice of said meeting.

SEC. 6. That any meeting of the congregation duly assembled may adopt and establish such by-laws and ordinances as may be deemed proper and necessary for the good government of said congregation; provided, that such by-laws and ordinances shall be compatible with the constitution and laws of the United States, and of this State.

SEC. 7. That all process against the congregation shall be by summons which shall be served by leaving an attested copy with one or more of the trustees, and such service shall be deemed sufficient in law to bind the congregation.

SEC. 8. That any future legislature shall have power to modify or repeal this act; provided, such modification or repeal shall not affect the title to any real or personal estate acquired or conveyed under its provision.

SECTION 2. That sections 2, 3, 4, 5, 6, 7, 8 and 9 of said original act, passed January 11, 1883, be and the same are hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 593.]

AN ACT

To authorize the trustees of Wellington township, Lorain county, Ohio, to lay off and dedicate a street to public use.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Wellington township, Lorain county, Ohio, are hereby authorized to lay off and dedicate to public use a street sixty feet wide, from the north end of the park now occupied by the Union agricultural society under the provisions of a lease that runs for a period of ninety-nine years; provided, the said Union agricultural society, as lessee of said park, shall release said strip of land sixty feet wide to the trustees of said township, without claim or damages; and provided, also, that the grading of said street shall not be done at the expense of said township of Wellington.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 615.]

AN ACT

Authorizing the trustees of Elk township, Vinton county, Ohio, to levy a special tax of one and three-fourths (1¾) mills for the purpose herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Elk township, Vinton county, Ohio, be and they are hereby authorized to levy a special tax of one and three-fourths (1¾) mills, for the year 1886, upon all of the taxable property in said township, for the purpose of paying the share of indebtedness now due from said township upon the town hall erected jointly by said township and the village of McArthur.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 616.]

AN ACT

Authorizing the council of the incorporated village of McArthur, Vinton county, Ohio, to levy a special tax of three mills for the purpose herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of McArthur, Vinton county, Ohio, be and they are hereby authorized to levy a special tax of three mills upon all of the taxable property in said village, for the year 1886, for the purpose of paying the share of indebtedness now due from said village upon the town hall, erected jointly by said village and the township of Elk, in which said village is situated.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 629.]

AN ACT

To change the given and surname of a person therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the given and surname of Michael J. Ryan, a resident of Ashland county, Ohio, be and the same are hereby changed to William J. Rogers.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 640.]

AN ACT

To authorize the village council of the incorporated village of Germantown, Montgomery county, Ohio, to borrow money and issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Germantown, Montgomery county, Ohio, be and the same is hereby authorized to purchase a fire engine and fire apparatus for said village, and to raise money for that purpose, and to pay the present indebtedness of said village, not exceeding in the aggregate ten thousand dollars, in the manner hereinafter provided.

SECTION 2. The council of said village is hereby authorized to issue and sell bonds not exceeding in amount ten thousand dollars, which may be used to purchase a fire engine and fire apparatus for the use of said village and for the payment of the present indebtedness of said village, and said bonds shall not be sold for less than the par value thereof, and the proceeds of such sale shall be applied to said purpose.

SECTION 3. Said bonds as aforesaid authorized to be issued and sold, shall be signed by the mayor of said incorporated village and countersigned by the clerk of said village, and may be issued in denominations of not less than fifty dollars nor more than five hundred dollars, bearing interest not exceeding six per cent. per annum, payable annually. Said bonds shall mature at such time as the council shall determine.

SECTION 4. In the payment of the principal and interest of said bonds as the same shall become due, the council of said village is hereby authorized and required to levy a tax on all the taxable property within the corporate limits of said village, in such amounts as will each year meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SECTION 5. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 643.]

AN ACT

To authorize the council of the incorporated village of Hillsboro, Highland county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Hillsboro, Highland county, Ohio, be and is hereby authorized to transfer the sum of five hundred dollars from the light fund of said village to the fire fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[House Bill No. 645.]

AN ACT

To authorize the incorporated village of Alliance, Stark county, Ohio, to issue bonds to pay off a floating debt of said incorporation.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village [of] Alliance, Stark county, Ohio, be and they are hereby authorized to issue the bonds of said village for a sum not exceeding five thousand dollars ($5,000) in denominations of not less than one hundred nor more than five hundred dollars, payable within three years from the date of their issue, and to bear not to exceed six per cent. interest, payable semi-annually. Said bonds shall be signed, issued and sold according to law.

SECTION 2. For the purpose of paying the principal and interest on said bonds as the same become due and payable, the council are hereby required to levy annually, on all the taxable property of said village, a sum sufficient to pay the same, in addition to all other taxes authorized by law, and the same shall be collected as other taxes.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 15, 1886.

[Senate Bill No. 210.]

AN ACT

To authorize and direct the governor of the State of Ohio to convey by deed to Isaac T. Jewett, of Vinton county, Ohio, a tract of land in section 16, town 10, range No. 16, Vinton county, Ohio.

WHEREAS, Isaac T. Jewett, the assignee of the purchaser of the following tract of land, to-wit: The north half of the south-west and the south half of the north-west quarter of section No. 16, township No. 10, of range No. 16,

Vinton county, Ohio, and his assignors under a certificate of purchase have already paid into the state treasury as principal, the sum of seven hundred and seventy-six dollars and fifty-six cents, and the sum of four hundred and forty-two dollars and seventy-six cents as interest; said sum being more than said land was ever worth;

WHEREAS, The said Jewett, on the 23d day of February, 1867, paid to the auditor of Vinton county, Ohio, the sum of one hundred and ninety dollars as principal for which no credit was given him, either on the books of the auditor or of the treasurer of said county;

WHEREAS, A majority of the freeholders of said township have petitioned the general assembly of the State of Ohio, praying that the governor of Ohio be authorized to convey said premises to said Jewett; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor of Ohio be and he is hereby authorized and directed, on demand, to execute and deliver to said Jewett a deed of conveyance in fee simple for the premises above described.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[Senate Bill No. 237.]

AN ACT

To authorize and require the board of education of the Huntsville school district of Logan county, Ohio, to issue bonds and pay the indebtedness thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Huntsville school district of Logan county, Ohio, be and are hereby authorized and required to issue the bonds of said district in an amount not exceeding twenty-five hundred dollars, for the purpose of paying the indebtedness thereof occasioned by the purchase of a site and the erection of a new school building.

SECTION 2. Said bonds shall be of the denomination of not more than $300.00 each, and bear interest at the rate of six per cent., payable semi-annually on the 1st day of January and July of each year, all of said bonds shall become due and payable within five years from the 1st day of July next.

SECTION 3. That for the purpose of paying said bonds, together with the interest, as they severally become due, said board are hereby authorized and required to cause to be levied upon the taxable property of said district each year until said bonds are paid, such sum as may be necessary to pay the same, not exceeding eight mills on the dollar.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 539].

AN ACT

To authorize the commissioners of Ross county to construct certain free turnpikes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Ross county be and they are hereby authorized to construct five free turnpikes in said county along the following described routes, to-wit: The first of said free turnpikes commencing in the Charleston and Chillicothe free turnpike at Mt. Carmel church, running thence westward with the present traveled road, except when the same can be improved by a more direct route or placed upon better ground; crossing Lick run at school-house No. 4, to an intersection with the said Charleston and Chillicothe free turnpike at what is known as Brown's blacksmith shop, about one-fourth of a mile southeastward of what is known as the Main street bridge over the Scioto river, being wholly within Springfield township of said county. The second of said free turnpikes commencing at the railroad station on the Ohio Southern railroad in Paint township in said county, known as Bethesda; thence westward by the present traveled road, except where a better or more direct route can be had, to an intersection with the Greenfield and Rapid Forge free turnpike at school-house No. 1 in said Paint township. The third of said free turnpikes commencing at a point in the Greenfield and State Mills free turnpike at what is known as the "old Alemang residence" in Buckskin township in said county; thence by the present traveled road past John Lealie's residence eastward to Roxabell, in Concord township in said county. The fourth of said free turnpikes commencing at a point in the Haynesville and Clarksburg road in Concord township in said county; thence northwestward a distance of about three and three-quarters miles to an intersection with the Clarksburg and Asbury Chapel road near the residence of William L. Mallow, being wholly within said Concord township, and known as Putnam road. The fifth of said free turnpikes commencing at a point in the Frankfort and Roxabel free turnpike at the northeast corner of John Dunlap's land, thence by what is known as the Good Hope and Frankfort road, westward to what is known as the State Mill road, at the west line of William Crawford's land, all in said Concord township.

SECTION 2. That said county commissioners shall appropriate to the construction of said free turnpikes not exceeding the sum of two thousand dollars to the said first named free turnpike in Springfield township; not exceeding the sum of one thousand dollars to the second of said free turnpikes in Paint township; not exceeding the sum of fifteen hundred dollars to the said third free turnpike in Buckskin and Concord townships; and not exceeding the sum of three thousand dollars to the said fourth of said free turnpikes in Concord township, and not exceeding twenty-five hundred dollars to said fifth of said free turnpikes in Concord township. And said commissioners are hereby authorized to borrow the sum of not exceeding ten thousand dollars with which to construct said several free turnpikes, and may issue the bonds of said county in such denominations as they may deem best, at a rate of interest not exceeding six per cent., and payable in one year from their date, which shall not be sold for less than their par value nor without being publicly advertised for a period of at least thirty days before their sale.

SECTION 3. The said commissioners shall have authority to contract with persons interested in having said several free turnpikes constructed, for such work being done toward the construction of said several free turnpikes by said persons so interested therein, in addition to what said commissioners may agree

to do, as may be necessary, in their opinion, to make such free turnpike a complete road.

SECTION 4. That this act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 624.]

AN ACT

To authorize the incorporated village of Bluffton, Allen county, Ohio, to borrow money and issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Bluffton, Allen county, Ohio, be and the same is hereby authorized to purchase ground, build an engine house and purchase a fire engine in and for said village, and to raise money for that purpose, not exceeding five thousand dollars ($5,000) in the manner hereinafter provided.

SECTION 2. The council of said village are hereby authorized to issue bonds not exceeding in amount the sum of five thousand dollars ($5,000), which may be used in payment of ground, material, work and labor to be performed in the building of said engine house, and to purchase a fire engine for the use of said village, and said bonds shall not be sold for less than the par value thereof, and the proceeds of such sale shall be applied to said purpose.

SECTION 3. Said bonds as aforesaid authorized to be issued, shall be signed by the mayor of said incorporated village and countersigned and registered by the clerk of said village, and may be issued in denominations of not less than one hundred dollars or more than five hundred dollars, bearing interest at the rate of six (6) per cent. per annum, payable annually. The principal and interest to be paid in three, four, five, six, seven, eight and nine years from the time of issuing said bonds and in such amounts each year as the council of said village may direct.

SECTION 4. For the payment of the principal and interest of said bonds as the same shall become due, the council of said village are hereby authorized and required to levy a tax on all taxable property within the corporate limits of said village, in such amounts as will each year meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes

SECTION 5. Before the council of said village shall have the right to issue said bonds, the question of issuing the same shall be submitted to the qualified electors of said incorporated village at a regular or special election called by said council of said village, of which at least ten days' notice shall be given by publication in any newspaper published within the limits of said village, of the time and place of holding such election, and a majority of the electors voting at said election on said question, shall vote in favor of the same, then, and not otherwise, shall the council of said village be authorized to issue said bonds as hereinbefore provided. Those voting in favor of the proposition shall have

written or printed on their ballots, "For the issue of bonds—Yes;" and those voting against the proposition shall have written or printed on their ballots, "For the issue of bonds—No."

SECTION 6. Said election shall in all respects, not otherwise herein provided, be held the same as municipal elections are now required by law, to be held in said incorporated village.

SECTION 7. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 644.]

AN ACT

To authorize the commissioners of Pickaway county, Ohio, to erect a soldiers' monument, or provide other memorial structure, and to extend the time for doing the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Pickaway county, having provided by levy and now have on hand in the treasury of said county the sum of ten thousand dollars, which said sum under the provisions of section 893 of the Revised Statutes of Ohio they are required to use without delay to erect a monument in their county in memory of the soldiers who died or were killed during the war of 1861, and the soldiers' monument association of Pickaway county, composed of soldiers and sailors of said war, being desirous of appropriating said fund to the erection of a memorial hall, if sufficient fund in addition thereto as can be raised therefor by bequest, donation or otherwise, and of extending the time in which said commissioners may expend said money; therefore the commissioners of said Pickaway county be and they are hereby authorized and empowered to invest the said sum of ten thousand dollars, together with whatever bequest, donations or other moneys that may come into their hands for the purpose of erecting a soldiers' monument, or other memorial structure, as the said monumental association may hereafter determine, in the bonds of said county or of the city of Circleville, not exceeding in time of maturing the first day of September, 1889.

SECTION 2. That said county commissioners be and they are hereby further authorized and empowered to extend the time for the erection of said monument, or other memorial structure, for a period not exceeding three years from September 1, 1886.

SECTION 3. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 646.]

AN ACT

To authorize the council of the city of Massillon, Stark county, to levy a special tax for water and light purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Massillon, Stark county, be and are hereby authorized and empowered to levy a special tax of not exceeding two mills on the dollar, on all taxable property of said city, in addition to the levies now provided for by law, to provide said city with additional light and water power.

SECTION 2. This act shall take effect and be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 647.]

AN ACT

To authorize the council of the incorporated village of Chagrin Falls to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Chagrin Falls be and is hereby authorized to transfer the sum of four hundred and forty-three dollars from the fire and water fund of said village to the general fund of the same.

SECTION 2. This act shall take effect on its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 648.]

AN ACT

To authorize the village council of the incorporated village of Miamisburg, Ohio, to issue bonds for the purpose of purchasing a steam fire engine.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the village of Miamisburg be and is hereby authorized and empowered to issue bonds of said village, in the sum of three thousand and three hundred dollars ($3,300) in denominations of not less than one hundred dollars ($100) nor greater than five hundred dollars ($500) bearing six per cent. annual interest thereon, and made payable at such times as said council may, by resolution prescribe, but not to exceed seven years. Said bonds shall not be sold for less than par, and the proceeds arising from the sale

thereof, shall be used for the purpose of purchasing a steam fire engine and for no other purpose.

SECTION 2. That the village council of said village shall annually appropriate out of any money in the village treasury that shall hereafter be levied and collected as taxes for the purpose of paying the cost and expenses of the fire department of said village, a sum sufficient to pay said bonds and the interest thereon at maturity.

SECTION 3. This act shall be in force from and after its passage.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 17, 1886.

[House Bill No. 50.]

AN ACT

To amend section four of an act entitled "an act to authorize the commissioners of Pike county to build certain roads," passed April 18, 1883, (O. L., vol. 80, page 357), and amended March 24, 1884, (O. L., vol. 81, page 276).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four of the above entitled act, as amended March 24, 1884, be amended so as to read as follows:

SEC. 4. That to pay said bonds and the interest thereon, as the same may become due, said board of commissioners are hereby authorized to levy a tax, not to exceed two mills on the dollar annually, of the taxable property of said county.

SECTION 2. That section four of the act passed April 18, 1883, and amended March 24, 1884, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 186.]

AN ACT

To authorize the board of trustees of Washington Cemetery Association to erect a vault.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of trustees of Washington Cemetery Association be and is hereby authorized and empowered to build in the cemetery of said association a vault,

at a cost not exceeding fifteen hundred dollars, and pay for the same out of the money in the treasury of said association.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 188.]

AN ACT

To amend section 5 of "an act to amend an act passed April 10, 1880, to authorize the purchase of toll-roads in Pickaway, Greene and Fairfield counties, and to convert the same into free roads," passed February 21, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5 of the above recited act be amended to read as follows:

SEC. 5. The said appraisers shall be paid by the county, upon the allowance of the commissioners, three dollars per day and the necessary expenses for the time actually employed in the business of their appointment; the county auditors, for services under this act, shall be entitled to one half of the lowest rate of fees now allowed him for like services, and the county treasurer, for the services required of him by this act, shall be entitled to such amount as may be allowed by the commissioners, not exceeding five hundred dollars in any one year.

SECTION 2. That said section 5 of the above recited act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 209.]

AN ACT

To authorize the commissioners of Clermont county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Clermont county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to wit: Beginning at the termination of the free turnpike leading from Butlerville to the county line between Warren and Clermont counties, Ohio, at the village of W. Woodville; thence running in a south-easterly direction, crossing the Woodville and Milford pike, following the line of the old road leading from Woodville to Fayetteville as near as practicable, and terminating at the county line between Clermont and Brown counties.

SECTION 2. In locating and laying out said road, the said county commissioners shall have power to locate the same upon the road or any part of any

county road or township road heretofore laid out and established, and to widen, alter, change or vacate the same, or any part thereof, and shall have power to lay out, locate, and survey such turnpike through any improved or unimproved lands, and are hereby authorized for that purpose to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio, for the appropriation of private property for public purposes, and the payment of compensation therefor; said road shall be opened not more than sixty nor less than thirty feet wide.

SECTION 3. Said commissioners may, if they deem best, issue bonds for the construction of said road; provided, that said bonds shall not bear interest at a higher rate than six per centum per annum, interest payable semi-annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be met at a levy of one-half of one mill on the dollar on the tax duplicate of said county.

SECTION 4. Said commissioners, before proceeding to construct said road, or any part thereof, shall require and secure from those interested in said improvement a subscription or donation, equal in amount to twenty per centum of the cost of said improvement to aid in the construction of the same.

SECTION 5. For the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding one half of one mill on the dollar, annually, on all taxable property in said county, in addition to taxes now authorized by law.

SECTION 6. That a majority of said board of county commissioners shall be necessary at any regular session to agree upon specifications and order said improvement or any part thereof.

SECTION 7. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 217.]

AN ACT

To authorize the commissioners of Hamilton county to levy a tax for improving the Crawfish Creek road, the same running from Eastern avenue, in Cincinnati, to the north corporation line of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, in addition to their other powers of taxation, be and they are hereby authorized to assess and collect in the grand levy of taxes on the taxable property of said county, a tax of two-sixths of a mill on the dollar; of which one-sixth shall be charged and collected on the tax duplicate of said county for the year 1886, and the remaining one-sixth on the tax duplicate of said county for 1887, the fund so raised to be applied to the grading, macadamizing, guttering, culverting and completing of that part of the highway known as the Crawfish Creek road, and running from Eastern avenue in said city northwardly through the Crawfish valley, to the point of intersection with the Linwood road, and for the grading and repair of the said Crawfish Creek road in its present traveled course northwardly from said Linwood road to the north boundary line of said city; provided, that said Craw-

fish Creek road shall be located, graded and completed in accordance with the survey made by A. E. Tripp, city engineer, and the location and establishment of the same by ordinances of said city of date September 1, 1871, and March 2, 1877; provided, further, that it shall be the duty of the board of public works of said city, its successors, or any person, persons or administrative board on which its present duties may by law devolve, to superintend and complete the proper construction and improvement of said road, and that the fund hereby raised shall be expended by and under the direction of said board, person or persons; provided, further, that the fund raised from said levy shall not be diverted from the object for which this levy was authorized, or transferred to the credit of any other fund, or used for any other purpose whatever, until said improvement of said road shall have been completed and paid for; and provided, further, that no such assessment as is provided for in this bill shall be levied or collected, until the right of way for said road shall be first secured without any cost or expense to the city or county whatever.

SECTION 2. The said board of public works, or its successor, may begin the construction of said Crawfish Creek road with full authority to contract for same, at any time after the passage of this bill; and this bill shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 221.]

AN ACT

To provide for the control and maintenance of the high school of Hubbard, Trumbull county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Hubbard township district, and the board of education of Hubbard village district shall each, at their annual meetings in April of each year hereafter, select two persons from their number, and the four persons thus chosen shall constitute a board of managers for the control of the high school in said Hubbard, Ohio.

SECTION 2. Said board of managers shall organize on Saturday next succeeding the third Monday of April of each year hereafter, by choosing one of their number as chairman and one as clerk, and said board of managers shall make an estimate of the expenses of said high school, and certify the same at once to both of said boards of education; and each of said boards shall levy one-half of the amount of said estimate in excess of the levy each may make for other purposes, and the treasurer of each board shall pay out said funds upon the order of said board of managers.

SECTION 3. Said board of managers are authorized and empowered to employ all teachers, and shall adopt rules for the admission of pupils, and shall make all such rules and regulations as the interests of the high school may demand, and shall do and perform all other duties in connection with said high school that should have been performed by the township board of education had the act of May 1, 1873, "for the reorganization and maintenance of common schools," not been passed.

SECTION 4. The principal of said high school shall, by virtue of his position as such, be superintendent of all the schools in said township and village districts, under the direction of their respective boards.

SECTION 5. This act shall take effect and be in force from and after its passage, and to carry out its provisions said boards of education shall at once select the board of managers who shall forthwith enter upon their duties.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 222.]

AN ACT

To authorize the commissioners of Summit county to issue bonds for the purpose of erecting a children's home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of erecting and completing suitable buildings for a children's home in Summit county, the county commissioners of said county are authorized and empowered to borrow a sum of money not exceeding thirty thousand dollars ($30,000), and to issue the bonds of the county to secure the payment thereof. Said bonds shall be in denominations of one thousand dollars ($1,000) each, have interest coupons attached, and shall bear interest at the rate of six per cent. per annum, payable semi-annually, and said bonds shall be payable at the option of the said county commissioners in sums not to exceed ten thousand dollars ($10,000) in any one year.

SECTION 2. Said bonds shall be signed by the county commissioners of said county, or any two of them, and shall be countersigned by the county auditor; they shall be payable, both principal and interest, at the county treasury of said county, and shall be sold at public sale to the highest and best bidder therefor, but in no case at less than their par value.

SECTION 3. That for the purpoose of providing for the payment of said principal sum and interest, the county commissioners of said county are authorized and directed to levy a tax, annually, in addition to other taxes now authorized by law, a sum sufficient each year to pay maturing bonds and interest, and in the event that the said county commissioners fail to levy said tax in any one year, the county auditor of said county is hereby authorized to place the requisite levy upon the general tax duplicate of said county.

SECTION 4. Before the said county commissioners proceed to borrow money and issue bonds as authorized in section 1 of this act, the question shall be submitted to the qualified electors of said county, either at a special election or at the first regular election succeeding the passage of this act, as the said county commissioners may elect; at least ten days' notice of the submission of said question shall be given in each township in the county, by notice posted on the front door of the town-hall, and on the front door of all public school-houses in each township in the county; said notice to be signed by the clerk of said county. Those who are in favor of the proposition to borrow money and issue bonds as specified in section 1 of this act shall have written or printed on their ballots the words, "To issue bonds—Yes;" those opposed "To issue bonds—No." If a majority of all the voters voting at said election shall vote, "To issue bonds—Yes;" it shall be the duty of the said commissioners to bor-

row money, not exceeding the amount, and for the purpose specified in section 1 of this act, and issue the bonds of the county to secure the payment thereof.

SECTION 5. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROBT P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 251.]

AN ACT

To authorize the council of the incorporated village of Forest, Hardin county, Ohio, to issue bonds and levy tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Forest, Hardin county, Ohio, is hereby authorized to issue the bonds of said village in any sum not exceeding fifteen hundred dollars, in denominations of five hundred dollars each, payable in one, two, and three years respectively, with six per cent. interest from date, semi-annually, to be sold at not less than their par value, the proceeds to be used in payment of a certain judgment, interest and costs and expenses recovered by Clara Tarlton against said village in the court of common pleas of Hardin county, Ohio, 1885.

SECTION 2. That said village council is further authorized to cause to be levied upon all the taxable property within the corporate limits of said village, a sufficient amount each and every year for three years, to pay said bonds with the interest thereon, in addition to the levy now authorized by law, as the same may become due, and to cause the same to be collected according to law.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROBT P. KENNEDY
President of the Senate.

Passed May 18, 1886.

[House Bill No. 285.]

AN ACT

To amend sections 2, 3, 4 and 5 of an act entitled "an act to regulate and provide for the appointment and selection of jurors in the county of Lucas," passed April 8, 1880, (77 Laws, 370).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2, 3, 4 and 5 of the act entitled "an act to regulate and provide for the appointment and selection of jurors in the county of Lucas," be and the same are hereby amended so as to read as follows:

SEC. 2. On the first Monday of April of each year, at two o'clock in the afternoon, the judges of the court of common pleas, or any two of them, shall

meet at the court house therein, with the clerk of the court of common pleas, who shall also act as the clerk of said judges, and said judges shall then select such persons having the qualifications of electors, and not known to them to be for any cause exempt from service as jurors for six months then next following, in such number, as nearly as may be practicable, as shall be in the ratio of one to every one hundred and fifty of the population of said county, at the last federal census, and apportioned as near as may be to the several wards and townships of said county in proportion to their population, which selection shall be made in one of the court rooms, in the court house of said county, and said clerk shall make out in a book to be provided for that purpose, and before any drawing shall take place, a certificate containing the names of all the persons so selected to serve as jurors for the ensuing year, which certificate shall be attested by the said clerk and signed by the judges who attend and make the selection, and the said book shall be kept in the office of said clerk, at all times subject to the examination and inspection of any citizen of said county. The names of the persons thus selected shall be written by said clerk, on separate pieces of paper, of the same size and character, and shall be by him put into said wheel in the presence of one of the judges aforesaid, after they shall have ascertained said wheel to be entirely empty.

SEC. 3. Said judges shall be furnished by the said clerk and the auditor of the county with any documentary information in their offices, upon request therefor; but if any person, by request or otherwise, shall attempt to influence any of the persons charged with any duty under this act, to select or not to select himself, or any other person as such juror, he shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not exceeding two hundred dollars or be imprisoned in the county jail not more than twenty days, or both, at the discretion of the court; and any person who shall alter the said certificate containing said names, by adding any name thereto or erasing any name therefrom, after the same is attested and signed as herein provided, or shall fraudulently place any name thereon not thus selected, or shall purposely put any name in said box not selected as herein provided, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one thousand dollars, or imprisoned in the county jail not exceeding six months, or both, at the discretion of the court.

SEC. 4. Whenever said clerk shall be directed by the order of any court of record therein, or any judge thereof in vacation, to cause any number of persons to be summoned to serve as grand or petit jurors in such court or whenever any regular jury is drawn in pursuance of law, he shall at the time specified in said order, in the presence of the sheriff of said county, and at least one of the judges of said court of common pleas, proceed to turn said wheel until said pieces of paper are thoroughly intermixed, and shall then draw therefrom the number of names specified in such order for grand jurors, and petit jurors, separately, and shall, forthwith, unless otherwise directed by said court or judge, issue a venire facias to said sheriff, commanding him to summons the persons whose names are so drawn, to attend as grand or petit jurors as aforesaid, at the time and place specified in said order; and all grand and petit juries shall be impanneled from the persons so selected and summoned; but if the said jury is drawn by order of and to serve as such in the probate court, the drawing shall be in the presence of the probate judge instead of a judge of the court of common pleas; and said drawings shall be made in one of the court rooms of said county publicly. If the name of any person shall be drawn from said box which does not appear upon the certificate provided for by section 2, said name shall be rejected, and such person shall not be summoned, or if summoned, shall, for that cause, be rejected as a juror upon

the challenge of any party to any action to be tried by such jury, or may by the court be rejected for that cause, and dismissed, and his name stricken from the panel.

SEC. 5. Such sheriff receiving such venire facias shall forthwith serve and return the same, in such manner and form as may be required therefor in the case of grand or petit jurors, by the Revised Statutes of the State, or by amendment, from time to time, thereto; and any sheriff or deputy who shall fail to exercise reasonable and proper diligence in finding the party or parties named in such venire facias and serving the same, with the intent of hindering or preventing such person serving upon such jury, shall, upon conviction, forfeit his office and be held guilty of a misdemeanor, and fined not less than five hundred dollars or more than one thousand dollars, or imprisoned in the penitentiary for not less than one year or more than five years, or both; and any juror that may be impanneled upon any grand or petit jury, shall be subject to the same disabilities, and may be challenged for the same causes, as provided by said statutes or amendments; and a challenge to the array shall be allowed, and the whole array shall be set aside when permitted by the provisions of said statutes and amendments; but no indictment shall be set aside for any irregularity in the apportioning and drawing of grand jurors, or misnomer of any of the grand jurors who found the indictment; provided, that the said grand jurors possessed, in fact, all the qualifications required to act as such grand jurors.

SECTION 2. The said original sections 2, 3, 4 and 5 of said act, passed April 8, 1880, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 412.]

AN ACT

To change the name of the Scioto Valley Fire-Brick Company, of Portsmouth, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of "Scioto Valley Fire-Brick Company, of Portsmouth, Ohio," be and the same is hereby changed to "The Black Diamond Fire-Brick Company, of Portsmouth, Ohio."

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 414.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Clermont county, Ohio, are hereby authorized to construct the following free turnpike road: Beginning at the village of Cedron, in Clermont county, Ohio, thence on the line of the old road to Smartz's mill, through the lands of S. F. Metzger; thence in an eastern direction, following the Cedron and Utopia road, as far as practicable, to the residence of S. F. Bartlow; thence in the most direct and practicable route to Utopia, Clermont county, Ohio, there intersecting the Felicity and Utopia free turnpike.

SECTION 2. That said county commissioners may, if they deem it best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be paid at a levy of three-fourths of a mill on the dollar levy on the tax duplicate of said county.

SECTION 3. That said commissioners shall, before proceeding to construct said road, or any part of the same, require and secure from those interested in said improvement, a subscription or donation equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SECTION 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax, not exceeding three-fourths of a mill on the dollar, annually, on any and all taxable property in said county.

SECTION 5. And in locating said road said commissioners may locate the same upon the whole or any part of any county or township road heretofore laid out and established, and to widen, alter, change or vacate the same or any part thereof, and shall have the power to lay out, locate and survey such turnpike through any improved or unimproved lands, and are hereby authorized for that purpose, to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio for the appropriation of private property for public purposes, and the payment of compensation thereof.

SECTION 6. That a majority of said board of commissioners shall, at any regular session, be necessary to agree upon specifications and order said improvement, or any part therefor.

SECTION 7. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 454.]

AN ACT

To authorize the commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to-wit: Beginning at Main street in the town of Winchester, at a point where the Winchester and Williamsburg road intersects said street, thence on the line of said Winchester and Williamsburg road to the Brown county line.

SECTION 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road, shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax not exceeding two mills on the dollar, annually, on all the taxable property of said county, for the purpose of paying said bonds and the interest thereon.

SECTION 3. A majority of said commissioners may, at any regular or special session, agree upon plans and specifications and order said improvement or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 532.]

AN ACT

To authorize the county commissioners of Clermont county to purchase that part of the Columbia and New Richmond turnpike and bridge company road situated in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of the county of Clermont be and hereby is authorized to purchase, for said county, that part of the Columbia and New Richmond turnpike and bridge company road, situate in the county of Clermont, and thereafter to be a free turnpike and kept in repair as other free turnpike roads in said county. When purchased and before any payment is made therefor, the owner or owners shall execute to the county of Clermont a good and sufficient deed of conveyance, and to the satisfaction of the said board of county commissioners.

SECTION 2. That before said purchase is made, there shall be filed in the office of the said board of county commissioners, by the person or persons interested in the purchase of said part of the said Columbia and New Rich-

mond turnpike and bridge company road, a guaranty, by subscription or otherwise, to the satisfaction of said board, of twenty per cent. of the amount of purchase money of said part of said Columbia and New Richmond turnpike and bridge company road. When the purchase is made and deed of conveyance executed for said part of said Columbia and New Richmond turnpike and bridge company road, the board of county commissioners shall assign said guaranty of twenty per cent. to the Columbia and New Richmond turnpike and bridge company, and the same shall be received by it, without rebate, in full payment of one-fifth of the purchase money for said part of said Columbia and New Richmond turnpike and bridge company road, to be collected by it.

SECTION 3. That in case said board of county commissioners and the said Columbia and New Richmond turnpike and bridge company cannot agree upon a purchase price, said board and said company may cause an appraisement thereof to be made by three disinterested freeholders of said county, one to be selected by said board, one by said Columbia and New Richmond turnpike and bridge company, and the third appraiser to be chosen by the two appraisers selected as aforesaid.

SECTION 4. That the appraisers selected and chosen under the provisions of this act shall, under oath, upon actual view, appraise that portion of the Columbia and New Richmond turnpike and bridge company road, located in said county, at its true value, and make return in writing of their appraisement within ten days after making the same, to said board. The said board and said Columbia and New Richmond turnpike and bridge company, within thirty days after the return of said appraisement, may agree upon a sale and purchase of said part of said Columbia and New Richmond turnpike and bridge company road at the appraised value or less. If the said board refuses to complete the purchase at the appraised value, in that case the said county shall pay the costs of appraisement. If said Columbia and New Richmond turnpike and bridge company refuses to sell at the appraised value, the said Columbia and New Richmond turnpike and bridge company shall pay the costs of appraisement. The appraisers shall each be entitled to receive two dollars per day for their services rendered under this act.

SECTION 5. That for the purpose of paying four-fifths of the purchase money for said part of said Columbia and New Richmond turnpike and bridge company road, said board of county commissioners is hereby authorized to issue the bonds of said county, payable at such times not exceeding twenty years from the date of the same, as to said board may seem proper, bearing a rate of interest not exceeding six per centum per annum, payable semi-annually. Said county bonds shall not be sold or otherwise disposed of at less than their par value. The bonds to be issued in denominations not to exceed five hundred dollars, nor less than fifty dollars.

SECTION 6. That the county auditor of said county shall make and keep in the office of said board, in a book to be provided for registry of county bonds, an accurate registry of said bonds, showing date of issue, number of bond, amount of bond, to whom sold, when due, when redeemed, and amount of interest and principal paid on each bond. Each of said bonds to be signed by the county commissioners, and countersigned in red ink by the county auditor of said county.

SECTION 7. That for the payment of the interest on, and for the redemption of said bonds, the board of county commissioners of said county is hereby authorized to levy a tax upon all taxable property of said county, at such a rate not exceeding one-fifth of one mill annually, in addition to other levies for road purposes, authorized by law, on each dollar of taxable property in said county, as may be found necessary to pay the interest on said bonds, and

provide a sum sufficient to redeem and pay said bonds as they become due and payable.

SECTION 8. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 534.]

AN ACT

To authorize the commissioners of Greene county to issue bonds to build a bridge over Andrews' Fork of Cæsar Creek.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Greene county are hereby authorized and empowered to issue sufficient bonds to build and complete a wagon way bridge across Andrews' Fork of Cæsar Creek at the crossing of the county road leading from "the Jenkin's country" to the Xenia and Burlington turnpike at the residence of Oliver Whitson, in the said county of Greene.

SECTION 2. The said bonds shall be of such denomination as the commissioners shall deem proper; shall run any length of time not exceeding ten years; shall bear interest not exceeding six per cent. per annum, payable annually, and shall be sold at not less than par.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 570.]

AN ACT

To authorize the board of education of Wheelersburg special school district, and the board of education of Porter township, Scioto county, Ohio, to lease school-house for educational purposes while not used for public schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Porter township and the board of education of Wheelersburg special school district, Scioto county, be and the said boards are hereby authorized to rent or let the school-houses and school rooms of said district and township for the purpose of holding therein teachers' institutes, teachers' meetings, select schools, and for other educational purposes, upon such terms as may seem proper to said boards, during such time as such buildings and

rooms shall not be used or needed for the purpose of holding therein the public schools of said district and township.

SECTION 2. This act shall be in effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 592.]

AN ACT

Authorizing the commissioners of Scioto county to build certain free turnpikes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of the county of Scioto be and they are hereby authorized to levy a tax on the taxable property of the said county, sufficient to pay for the construction of the following free turnpikes, or any of them, viz.:

First—A free turnpike beginning at the Duck Run pike near William Vanderford's, thence north up the valley by Edward Crabtree and Jesse Carpenter's, thence across the ridge at the easiest crossing down by Samuel McCorkle's, to intersect the Bear Creek free turnpike near the school-house in sub-district No. 5.

Second—To complete the turnpike now terminating at Bonner's Mill, known as the Mount Joy and Bear Creek turnpike, from said Bonner's Mill through or by the county road running through Mt Joy, and by the Loy Church on the county road as surveyed and established to the village of Galena, in said county.

Third—A free turnpike commencing in Valley township, in said county, opposite the residence of W. H. Marsh, thence in an easterly direction in a line to be determined by the county commissioners to the Deveis free turnpike.

SECTION 2. The said commissioners may, if in their judgment it will best serve the interest of the tax-payers of the county, divide the levy for the construction of roads, provided for in the preceding section of this act, into three annual payments, and the whole shall be paid for as completed out of the levy provided for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 599.]

AN ACT

To authorize the council of the village of Deshler to issue bonds for the purpose of building a town hall at said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Deshler, Henry county, Ohio, be and is hereby authorized to issue the bonds of said village in the sum of four thousand dollars, for the purpose of building a town hall at said village, for engine room, village offices, and for such other purposes as the council may authorize.

SECTION 2. That such bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be delivered at such times and in such amounts necessary for the purpose aforesaid, as the council may authorize.

SECTION 3. That the council of said village, for the purpose of paying said bonds and interest, is hereby authorized to levy a tax in accordance with law upon the taxable property, real and personal of said village, to be certified to the auditor of said county of Henry, and the same shall be collected as other taxes for village purposes.

SECTION 4. This act shall be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 612.]

AN ACT

For the relief of J. H. Winn, treasurer of Perry township, Muskingum county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees and school board of Perry township, Muskingum county, are hereby authorized to release J. H. Winn and his sureties on their official bond as treasurer of said township, from the payment of the following sum of money, to wit, six hundred and seven dollars and eighty cents; provided, however, that the said J. H. Winn, as such treasurer, shall, without recourse on him, fully transfer any and all certificates of deposits or other evidences of indebtedness which he as said treasurer holds against the late banking company of C. C. Russell & Co., of Zanesville, Ohio, to his successor in office, to be held and used by him and his successors for the benefit of said Perry township; provided, that his successors shall only be held liable to the township trustees and school board for the amount of dividends received from the receiver of said bank on account of the same.

SECTION 2. This act shall be in force on and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 623.]

AN ACT

To divide Brown township, Paulding county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Brown township, Paulding county, Ohio, be divided into two election precincts, and shall be divided by the following lines: Commencing at a point in the south line of said township on the section line between sections 33 and 34, thence north on said section line between sections 33 and 34, 27 and 28, 21 and 22, to where said line crosses the Big Auglaize river, thence northerly making the said Auglaize river to the north line of said Brown township.

SECTION 2. All that portion of Brown township on the east side of this dividing line shall be known as the Oakwood precinct with the voting place at Oakwood; and all west of this line as the Melrose precinct with the voting place at Melrose.

SECTION 3. This act shall be in force on and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 625.]

AN ACT

To authorize the trustees of Benton township, Paulding county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Benton township, Paulding county, Ohio, are hereby authorized and empowered to transfer four hundred ($400) dollars of the general township fund to the school fund of said township for tuition purposes.

SECTION 2. This act shall be in force on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 627.]

AN ACT

To authorize the trustees of Marshall township, Highland county, to levy tax for road purposes in road district No. 1 of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Marshall township, Highland county, be and they are hereby authorized and required to levy a tax on all the taxable property of road district No. 1 of said township, not exceeding five mills in any one year, and not to exceed six years from the passage of this act.

SECTION 2. The township trustees of said township of Marshall, and county of Highland, whenever a petition is presented to them, signed by a majority of the tax-payers of said road district No. 1 of said township, shall make such levy as provided in section one of this act, and return the same to the auditor of said county, who shall place the same on the duplicate of the county to be collected as other taxes; provided, that each tax-payer may discharge the same by labor upon the roads in said road district, under the direction of the supervisor of said road district, whose receipt for said labor shall be received by the county treasurer in lieu of said road taxes.

SECTION 3. For the purpose of carrying into effect the provisions of this act the county auditor shall annually, on or before the first day of August of each year, furnish to the supervisor of said road district a list of all the taxes charged to persons in said district, and the said supervisor shall proceed to notify each person of the amount of said tax, and notify him of time and place to perform such labor, and shall allow such reasonable compensation for said labor as in his judgment may seem just, and said supervisor shall receive a like compensation for said services as are allowed for said services performed on roads under general statutes regulating the same to be paid out of the township treasury of said township, upon the order of said trustees.

SECTION 4. This act shall be in force on and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 632.]

AN ACT

To authorize the trustees of Wheeling township, Guernsey county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Wheeling township, Guernsey county, Ohio, be and they are hereby authorized to transfer the sum of six hundred and fifty dollars from the township fund of said township to the building fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 635.]

AN ACT

To amend section one of an act entitled "an act to authorize the trustees of Dover township, Cuyahoga county, Ohio, to improve certain roads in said township and borrow money in payment thereof," passed April 17, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act entitled "an act to authorize the trustees of Dover township, Cuyahoga county, Ohio," passed April 17, 1886, be so amended as to read as follows:

SEC. 1. That the trustees of Dover township, Cuyahoga county, Ohio, be

and they are hereby authorized to improve certain roads within the limits of said township, at a cost which shall not exceed nine thousand dollars; provided, [that] at a special election to be held for that purpose, on a day to be designated by such trustees, a majority of the qualified electors of such township vote in favor of the same.

SECTION 2. That section one of the above recited act be and the same is hereby repealed.

SECTION 3. This act shall take effect on its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[House Bill No. 649.]

AN ACT

To authorize the board of education of South Bloomfield school district, Pickaway county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of South Bloomfield school district, Pickaway county, Ohio, be and is hereby authorized and empowered to transfer the sum of thirteen hundred and nineteen dollars and fifty-two cents, from the building fund to the tuition fund of said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 18, 1886.

[Senate Bill No. 190.]

AN ACT

For the relief of Mrs. Barbara Renner and her minor child, Mamie B. Renner.

WHEREAS, On or about the 15th day of September, 1881, John Renner, a member of the fire department of Cincinnati, Hamilton county, was, while in the actual performance of his duty as such member, injured and died from the effects of such injury; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of trustees of the firemen's relief fund of Cincinnati, Hamilton county, Ohio, be and they are hereby authorized and required to pay to Barbara Renner, widow of said John Renner, deceased, and Barbara Renner, guardian of said Mamie B. Renner, a minor under sixteen years of age, daughter of said John Renner, deceased, such sums and amounts of money as the widow and minor

child and children of deceased firemen are entitled to receive under the provisions of the act of the general assembly, passed March 29, 1883, (80 O. L. 86), said payments to begin from the time of the decease of said John Renner.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[Senate Bill No. 191.]

AN ACT

For the relief of Mrs. Catherine Carroll and her minor child, Henry Carroll.

WHEREAS, On or about the 24th day of August, 1882, Henry E. Carroll, a member of the fire department of Cincinnati, Hamilton county, was, while in the actual performance of his duty as such member, injured and died from the effects of such injury; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio* That the board of trustees of the firemen's relief fund of Cincinnati, Hamilton county, Ohio, be and they are hereby authorized and required to pay to Catherine Carroll, widow of said Henry E. Carroll, deceased, and Catherine Carroll, guardian of said Henry Carroll, a minor under sixteen years of age, son of said Henry E. Carroll, deceased, such sums and amounts of money as the widow and minor child and children of disabled or deceased firemen are entitled to receive under the provisions of the act of the general assembly, passed March 29, 1883, (80 O. L. 86), said payments to begin from the time of the decease of said Henry E. Carroll.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 654].

AN ACT

To authorize the city of Xenia, in the county of Greene and State of Ohio, to borrow money for the purpose of widening the channel of Shawnee run, within the corporate limits of said city; and of repairing the damage occasioned by the freshet of May 12, 1886; and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Xenia, in the county of Greene, Ohio, be and it is hereby authorzed to borrow the sum of not exceeding fifty thousand dollars, to be applied to

the payment of the costs and expenses of widening the channel of Shawnee run, in the corporate limits of said city, and to the repair of the damage occasioned by the freshet of May 12, 1886, and to provide against similar damages in the future.

SECTION 2. That, for the purpose aforesaid, the said city of Xenia is authorized to issue bonds, to be signed by the mayor of said city and attested by the city clerk, of denominations not less than one hundred dollars and not greater than one thousand dollars; and to sell the same at public or private sale, with or without advertising. Said bonds to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to be payable at such time or times not exceeding twenty (20) years from the respective dates thereof as said city may, by ordinance, provide. Said bonds shall not be sold for less than their par value and accrued interest, and may have interest coupons attached.

SECTION 3. For the purpose of paying such bonds, and the interest thereon as the same shall become due, said city of Xenia shall annually levy a tax, if necessary, in addition to what it is now authorized by law to levy, on all the taxable property of said city sufficient therefor; provided, that all the bridge tax levied and to be levied on the taxable property of said city in pursuance of law by the county authorities shall be paid into the treasury of said city, to be applied to the payment of so much of the bonded indebtedness herein authorized, the proceeds of which may be used for the construction and repair of bridges in said city until the amount so applied shall equal the sum expended for such construction and repair, with interest thereon.

SECTION 4. The money borrowed by said city of Xenia by virtue of this act shall be paid into the treasury of said city as a special fund, to be designated as the council of said city shall provide; and shall be applied to such purposes, contemplated in this act, as the council may direct; but no appropriation shall be made from such fund except by ordinance; and all ordinances appropriating money from such fund shall clearly state the object of such appropriation and the uses to which the same is to be applied.

SECTION 5. The city of Xenia is hereby authorized to issue and sell at public or private sale, with or without advertising, the bonds of said city to the amount of not more than two thousand dollars to supply money for the general purposes of said city. Such bonds to be of such denominations as the council may, by ordinance, provide; to be signed by the mayor and attested by the clerk of said city; to bear interest at a rate not greater than six per cent. per annum, payable semi-annually, and to be redeemable at such time or times as the council may provide. Such bonds shall be sold for not less than their par value with accrued interest; and may have interest coupons attached, and the money arising from the sale thereof shall be paid into the treasury of said city to the credit of the general fund thereof.

SECTION 6. Said city may provide by ordinance for the relief of distress occasioned by such freshet out of any moneys in the treasury of the city not otherwise appropriated.

[SECTION 7.] This act shall take effect from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 154.]

AN ACT

To divide Union township, Butler county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Union, in the county of Butler, be and the same is hereby divided into two election precincts, for all State, county, township and other election purposes, as follows: Beginning at the southeast corner of section (32) thirty-two, on the south line of said township, and running from thence north with the east line of sections 32, 33, 34, 35 and 36 in said township, to the north line of said township.

All that part of Union township that lies west of the line aforesaid shall be one election precinct, to be known as the Western precinct, and the election in said precinct shall be held at Port Union; and all that part of Union township that lies east of the dividing line aforesaid shall be one precinct, to be known as the Eastern precinct, and the election in said precinct shall be held at Westchester.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[Senate Bill No. 180.]

AN ACT

In aid of "The Retreat," a home for friendless girls, located in the city of Toledo, a benevolent association, incorporated in the laws of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all justices of the peace and all police courts in the city of Toledo be authorized and required to pay over to the treasurer of the Retreat, a home for friendless girls in the city of Toledo, all fines, penalties and forfeitures arising from the prosecution of houses of ill-fame or prostitution, or the inmates, residents or visitors thereof, in the city of Toledo. The said courts shall pay over, monthly, all sums of money so collected, taking therefor a receipt from the treasurer of said Retreat, which shall be a voucher for said courts in any settlement with the city or county treasurer for the sums thus collected by said courts.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 651.]

AN ACT

To authorize the council of the incorporated village of Garrettsville, Portage county Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Garrettsville, Ohio, be and the same are hereby authorized and empowered to transfer eight hundred and fifty dollars ($850) from the city prison fund to the general fund of said corporation.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 652.]

AN ACT

To authorize the county commissioners of Ross county to issue bonds to build a bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Ross county are hereby authorized to issue the bonds of said county and to sell the same at not less than their par value, in an amount not exceeding twenty thousand dollars, in addition to what is now authorized by law, for the purpose of constructing a new bridge over the Scioto river at the north end of Bridge street, in the city of Chillicothe, in place of the one now there, which has become dangerous: Such bonds shall be of such denominations and shall run such length of time as said commissioners shall determine, and shall bear a rate of interest not exceeding six per cent. per annum, and the said commissioners shall levy a sufficient tax to pay said bonds as they shall become due.

SECTION 2. That this act shall take effect and be in force from its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 653.]

AN ACT

To authorize the council of the incorporated village of Wellsville, Ohio, to issue bonds for the redemption of water-works bonds now outstanding.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Wellsville, Columbiana county, Ohio, be and the same is hereby authorized to issue the bonds of said village not exceeding sixty thousand dollars ($60,000) as hereinafter provided, for the sole purpose of raising funds to redeem certain bonds to the amount of sixty thousand dollars, ($60,000) issued by said village for the construction of water-works.

SECTION 2. Said bonds shall be payable at such times, not exceeding thirty years from the respective dates thereof, as said council may determine; they shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually; they shall be in denominations of not less than one hundred dollars and not more than one thousand dollars, as said council may direct; they shall not be sold for less than their par value, and shall be issued and sold according to law.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same may become due, or redeeming the same earlier, the said council is hereby authorized to levy a tax on all the taxable property of said village, not exceeding three mills on the dollar, in any one year, in addition to the taxes now authorized by law, which levy shall be placed on the duplicate by the auditor of said county and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 660.]

AN ACT

To authorize the trustees of Newark township, Licking county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Newark township, Licking county, Ohio, be and they are hereby authorized to transfer the sum of two thousand five hundred dollars from the general township fund to the township building and contingent school fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 661.]

AN ACT

To authorize the village of Middletown, Butler county, Ohio, to issue bonds for the purpose of increasing the capacity of and extending the public water-works of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Middletown, Butler county, Ohio, be and the same is hereby authorized to issue the bonds of said village in any sum, not exceeding fifteen thousand dollars, bearing interest at a rate not exceeding five (5) per cent., from date of issue, payable semi-annually, for the purpose of providing funds for increasing the capacity and extending the system of water-works of said village.

SECTION 2. The principal of said bonds shall be payable at such place and at such times, within a period not exceeding thirty (30) years from date of issue, as the council of said village may determine, by ordinance, and the said village council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and interest, not to exceed one and a half mills on the dollar in any one year.

SECTION 3. Said bonds shall be signed by the mayor of said village and countersigned and registered by the clerk of said village, and shall be issued in such amounts respectively, as will, in the judgment of said council, best subserve the negotiation and sale thereof, and shall not be sold for less than their par value.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

[House Bill No. 662].

AN ACT

To authorize and empower the commissioners of Mercer county to borrow money and issue bonds for the relief of persons of said county, who suffered by the late cyclone.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Mercer county are hereby authorized and empowered to borrow for, and on behalf of said county, a sum of money not exceeding ten thousand dollars, for the purpose of assisting and relieving those who suffered by the cyclone in said county on the 14th day of May, 1886, and to apportion and distribute the same to the persons who suffered, in proportion to their immediate wants and necessities arising from said cause, and said commissioners may expend the same for the aforesaid purpose as they may determine.

SECTION 2. The commissioners aforesaid are hereby authorized and empowered to issue and negotiate the bonds of said county, at public or private sale as they may determine, for the sum borrowed as aforesaid, which shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually, and shall be due and payable ten years after the date thereof, or sooner, as said

commissioners may determine, and the same shall be negotiated at not less than their par value.

SECTION 3. For the payment of the bonds issued as aforesaid, the faith and credit of said county are hereby pledged, and the said commissioners are authorized and empowered to make such other additional levy on all the taxable property of said county as may be necessary or required to pay the same.

SECTION 4. This act shall take effect and be in force from and after its passage.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Passed May 19, 1886.

JOINT RESOLUTIONS.

[Senate Joint Resolution No. 1].

JOINT RESOLUTION

Relative to the appointing of a joint committee of three on the part of the senate and five on the part of the house, to make such arrangements as may be necessary for the inauguration on Monday, January 11.

Be it resolved by the General Assembly of the State of Ohio, That a committee of three on the part of the senate and five on the part of the house, be appointed to make such arrangements as may be necessary for the inauguration of the governor-elect on Monday next, the 11th inst.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted January 12, 1886.

[Senate Joint Resolution No. 2.]

JOINT RESOLUTION

Relative to the appointing of a joint committee of two from the senate and three from the house, to inform the governor that the General Assembly is ready for business.

Be it resolved by the General Assembly of the State of Ohio, That a committee of two on the part of the senate and three on the part of the house, be appointed to wait on the governor, and inform him that the General Assembly is now in session and ready to receive any communciation he may wish to transmit.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted January 12, 1886.

[Senate Joint Resolution No. 3.]

JOINT RESOLUTION

Relative to meeting in joint convention at 11 A.M., January 6, and counting the vote for State officers.

Be it resolved by the General Assembly of the State of Ohio, That the two houses of the General Assembly meet in joint convention in accordance with the provisions of the statutes, on Wednesday, January 6, 1886, at 11 o'clock A. M., and count the votes for State officers at the election held on the second Tuesday of October, 1885.

JOHN C ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted January 12, 1886.

[Senate Joint Resolution No. 4]

JOINT RESOLUTION

Relative to appointing a committee on joint rules.

Be it resolved by the General Assembly of the State of Ohio, That a committee of three on the part of senate, and five on the part of the house, be appointed to report joint rules for both houses.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted January 12, 1886.

[Senate Joint Resolution No. 5.]

JOINT RESOLUTION

Relative to meeting in joint convention January 13, 1886, 12 M., to elect a United States senator.

Be it resolevd by the General Assembly of the State of Ohio, That the members of both branches of the general assembly convene in joint assembly in the hall of the house of representatives at twelve o'clock, meridian, on Wednesday, January 13, 1886, for the purpose of taking such action relative to the election of a United States senator, as provided by law.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted January 12, 1886.

[House Joint Resolution No. 1.]

JOINT RESOLUTION

Ordering the sergeant-at-arms of the house to cause a telephone to be placed in the clerk's office of the house, to be used by the officers and members of the general assembly.

Resolved by the General Assembly of the State of Ohio, That the sergeant-at-arms of the house be and is hereby directed to procure and cause to be placed in the office of the clerk of the house a telephone for the use of the officers and members of the general assembly.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted January 12, 1886.

[Senate Joint Resolution No. 6.]

JOINT RESOLUTION

Relative to tri-weekly adjournments.

Be it resolved by the General Assembly of the State of Ohio, That when the general assembly adjourns on Friday, January 15, 1886, and every third Friday thereafter, it shall be to meet at four o'clock P. M. on the following Tuesday.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted February 3, 1886.

[Senate Joint Resolution No. 7.]

JOINT RESOLUTION

Relative to amendatory matter and bills.

Be it resolved by the General Assembly of the State of Ohio, That for the convenience of the members of this general assembly, all bills introduced amendatory of or supplementary to, any of the statutes, shall have all matter intended to be left out enclosed in brackets, and all new matter intended to be inserted printed in italics.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted February 3, 1886.

[House Joint Resolution No. 9.]

JOINT RESOLUTION

Directing the supervisor of public printing to cause to be bound in cloth, nine hundred copies of the annual report of the auditor of state for the year 1885.

Be it resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and he is hereby directed to cause to be bound in cloth, nine hundred (900) copies of the annual report of the auditor of state, for the fiscal year ending November 15, 1885.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted February 12, 1886.

[House Joint Resolution No. 15.]

JOINT RESOLUTION

Requesting our senators and representatives in Congress to use their influence to secure proper legislation for letting documents herein named pass through the mails at pound rates.

Resolved by the General Assembly of the State of Ohio, That our senators and representatives in Congress be and they are hereby requested to use all honorable means within their power to secure appropriate legislation by which "annual catalogues of institutions of learning and annual reports of all missionary, educational and benevolent institutions and associations shall be placed on the list of matter to be sent through the mails at pound rates." That the governor of the State of Ohio be and hereby is requested to forward to each of our senators and representatives in Congress a copy of this resolution.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted February 23, 1886.

[House Joint Resolution No. 12.]

JOINT RESOLUTION

Requesting the governor and senators and representatives in Congress to use their influence in having a training ship placed on Lake Erie for instructing the boys of the industrial school of this State in nautical arts.

WHEREAS, It is esteemed meet and proper that a portion of our citizens, as far as practicable, should be educated in the nautical arts, in order that our naval and mercantile vessels at sea may, as far as possible, be manned by citizens of our country; and

WHEREAS, The federal government has supplied training ships to some of the states, and officered the same for the training of the incorrigible boys committed to the reformatories of the states in the nautical arts; therefore,

Resolved by the General Assembly of the State of Ohio, That the governor and our senators and representatives in Congress be, and they are hereby respectfully requested to use their influence with the federal government in procuring the same advantages for the State of Ohio, and have placed on Lake Erie a training ship for the training of such boys in the industrial school for boys as may be found adapted to that purpose.

Resolved, That a copy of this preamble and resolution be sent to the governor, and that he be respectfully requested to transmit copies thereof to our senators and representatives in Congress, and that they be requested to earnestly forward the purpose of this resolution.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted February 25, 1886.

[House Joint Resolution No. 19.]

JOINT RESOLUTION

Instructing Ohio members in congress to support certain bill therein pending.

WHEREAS, A bill for the erection of a marine hospital at Gallipolis, Ohio, will come up for consideration by congress at its present session; and

WHEREAS, The said city of Gallipolis is the proper place for a marine hospital for the following, among other reasons: It is located about midway between Wheeling and Cincinnati; it is located above the highest water ever known in the Ohio river; for ten years past it has been a point for the inspection of steamers and licensing of steamboat officers; it is the terminus of ten steamers and steamboat lines, besides Pittsburg and Cincinnati, Wheeling and Cincinnati, and Pomeroy daily packets, making not less than eighteen (18) steamers daily doing business at the wharf; and

WHEREAS, The number of steamboatmen in the district of which Gallipolis is the center reaches over one thousand, and for several years past the government has had a temporary hospital at said place, which has been the source of great benefit to sick and disabled steamboatmen; therefore,

Resolved by the General Assembly of the State of Ohio, That our senators in the congress of the United States be instructed and our representatives in congress be requested to use all honorable means to secure such appropriation by congress as may be necessary to erect a marine hospital at Gallipolis, Ohio, and the governor is hereby directed to forward a copy of this resolution to each of our senators and representatives in congress.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted February 25, 1886.

[House Joint Resolution No. 18.]

JOINT RESOLUTION

Authorizing the adjutant-general to lend to Morrison post, No. 167, Ashville, Pickaway county, Ohio, flags of regiments herein named.

Be it resolved by the General Assembly of the State of Ohio, That the adjutant-general be and hereby is authorized to lend Morrison post, No. 167, Ashville, Pickaway county, Ohio, regimental flags now deposited in the flag-room, to-wit: the flags of the 13, 32, 155 and 180th regiments for the purpose of decorating the hall of said post on the 22d day of February, 1886.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted February 25, 1886.

[Senate Joint Resolution No. 9.]

JOINT RESOLUTION

Relative to the expenditure of certain sum herein named for purposes specified.

Be it resolved by the General Assembly of the State of Ohio, That the adjutant-general be and he is hereby directed to have constructed two additional closets for the use of the senate in the north-east court of the state house, and repair the two old ones at a cost not to exceed one thousand dollars ($1,000.00).

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Adopted March 2, 1886.

[Senate Joint Resolution No. 10.]

JOINT RESOLUTION

Relative to the enlargement of the capitol building for certain purposes herein specified.

WHEREAS, The present requirements of the different departments of the state government, legislative, judicial and executive, are insufficiently provided for by the capitol building now in use; and

WHEREAS, The lack of room, and of the necessary conveniences and accommodations, seriously obstruct some departments of the public business, and interferes with a proper care and administration of the diversified interests of the commonwealth; and

WHEREAS, Such additional accommodations for the judicial department, and for committee rooms for the house and the senate, and for relief of the executive department now imperatively required, can only be secured by the enlargement of the present capitol building, or by the erection of another one within the capitol grounds;

Resolved, That the president of the senate appoint a committee of three senators, and the speaker of the house appoint a committee of the same number, members of the house, to constitute a joint committee, whose duty it shall be to examine the subject and report; said report to include, if practicable, estimate of probable cost.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Adopted March 3, 1886.

[House Joint Resolution No. 17.]

JOINT RESOLUTION

Authorizing the supervisor of public printing to cause to be bound five hundred (500) copies of adjutant-general of state's annual report for 1885.

Resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and he is hereby directed to cause to be bound in cloth five hundred (500) copies of the annual report of the adjutant-general of the State for the year 1885.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Adopted March 5, 1886.

[House Joint Resolution No. 8.]

JOINT RESOLUTION

To provide for the holding of a centennial exposition at the capital of the State, in September, 1888, demonstrating the material and educational progress, and growth of the State during its first century.

WHEREAS, The year 1888 marks the end of a century since the first permanent settlement was made in the State of Ohio; and

WHEREAS, This century has been one of greatest progress in the history of civilization, a progress in which Ohio has taken a leading part; and

WHEREAS, It is not only practicable but desirable that the people of Ohio should commemorate in some appropriate manner the close of the first century of our history, and the beginning of the second; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the one hundredth anniversary of the first settlement of the State, now among the foremost in rank and importance in the Union, be celebrated during the month of September, in the year 1888, by the holding, at the capital of the State, of an exposition demonstrating the material and educational progress and growth of the State, during its first century. Said exposition to be held on the grounds of the State, used and controlled by the Ohio State board of agriculture for State fair purposes. For the purpose of carrying out the intent of this resolution, there is hereby created a board of directors, consisting of nine members, five of whom shall be appointed by the Ohio State board of agriculture, two by the State Archæological and Historical Society, and one by the Horticultural Society, with the governor of the State a member and presiding officer of the board. The board of directors shall have the control of all business connected with the preparation and holding of the centennial exposition, and shall establish rules and regulations for the government of the various departments connected therewith, making such rules and extending such encouragement with respect to exhibiters, as shall secure intelligent representation in the departments of education, history, art, science, agriculture, horticulture, live stock, forestry, mechanics, mining, commerce, transportation, merchandise, journalism, domestic manufactures, and all the arts and industries beneficial to mankind. The board of directors shall define the various departments of said exposition, and appoint commissioners in charge of the different departments, who shall conduct the affairs of their respective departments according to the regulations adopted by said board, and report from time to time to the board. The board of directors shall report to the general assembly in 1887, the progress made toward carrying out the provisions of this resolution, and in 1888 shall make a full and complete report of the exposition. The premiums that may be offered and awarded shall be paid from the receipts of the exposition, and any surplus remaining from this source shall be placed to the credit of the agricultural fund of the State board of agriculture; provided, that the adoption of this resolution shall in no sense be taken or held to commit the general assembly to the making of any appropriation of money in aid of such exposition.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROBT P. KENNEDY,
President of the Senate.

Adopted March 12, 1886.

[House Joint Resolution No. 28.]

JOINT RESOLUTION

Relative to loaning tents, camp equipage, ordnance, etc., to the society of the army of West Virginia, at their annual reunion in 1886.

WHEREAS, The annual reunion of the society of the army of West Virginia, is to be held in the city of Portsmouth, Scioto county, sometime during the year 1886,

Resolved by the General Assembly of the State of Ohio, That the adjutant-general of the State is hereby instructed and authorized to loan to the executive committee of "The Society of the Army of West Virginia," for the above named occasion, such number of tents, camp and garrison equipage, ordnance, inclusive of cannon, muskets and accoutrements, as may at that time be in his possession, and not in use by the national guard of the State, and to accord said executive committee such other assistance and privileges as shall not materially conflict with the preservation of the public property of the State; provided, said property shall be taken and returned without expense to the State of Ohio.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Adopted March 24, 1886.

[Senate Joint Resolution No. 18.]

JOINT RESOLUTION

Urging Congress to pass a law to authorize commercial travelers to sell goods to merchants or manufactories in the different states and territories without payment of any license or mercantile taxes.

WHEREAS, In certain sections of the United States, license fees or mercantile taxes are imposed upon commercial travelers soliciting from dealers or merchants, orders for goods and merchandise by sample, catalogue, card, price list, description, or other representations; and

WHEREAS, The laws imposing such license fees or taxes are not uniform, but in many instances discriminate against non-residents, and against the products of other sections; and

WHEREAS, In some instances the amount exacted is so excessive as to be prohibitory; and

WHEREAS, Such confused and oppressive laws unjustly restrain trade and injuriously affect inter state commerce; therefore,

Resolved by the General Assembly of the State of Ohio, That we request our senators and representatives in Congress to earnestly urge such congressional legislation as will permit our commercial travelers to solicit orders for sales of goods and merchandise to dealers or merchants of other states and territories, without payment of any license or mercantile tax.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted March 26, 1886.

[Senate Joint Resolution No. 13.]

JOINT RESOLUTION

Relative to the building of a memorial structure at Marietta, Ohio.

WHEREAS, The acquisition of the territory north-west of the Ohio river, by conquest from the British Crown was an object of great national importance to the United States; and

WHEREAS, This acquisition was effected by the wisdom and patriotism of the Continental Congress in conducting the affairs of the Confederacy through the memorable revolutionary struggle, and also to the valor, endurance and sacrifice of the army; and

WHEREAS, The Congress representing the old thirteen states comprising the Confederacy succeeded in quieting all claims to adverse titles to this territory, so that it became common property to be used and disposed of for our common benefit; and

WHEREAS, By the laws and ordinances of that Congress, the blessings of civil and religious liberty, with full guaranties of personal freedom and personal rights have been forever secured to posterity; and

WHEREAS, The first settlement of the territory of the north-west was made at Marietta, Ohio, in April, 1788, where it is now proposed to hold a centennial celebration April 7, 1888, in commemoration of that historic event, and regarding this as an appropriate occasion for the Nation to express its gratitude for the services rendered both by the Continental Congress, and the army under its control; therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators in Congress be instructed, and our respresentatives requested to use their efforts to obtain an appropriation for the erection of a suitable monumental structure at said city of Marietta, Ohio, to commemorate this historic event.

Resolved, 2*d*, That the governor be requested to transmit a copy of these resolutions to our senators and to each member of the house of representatives of Congress of the United States from Ohio.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Adopted March 31, 1886.

[House Joint Resolution No. 11.]

JOINT RESOLUTION

Instructing our senators and requesting our representatives in congress to use their influence toward securing the re-enactment of the wool tariff law of 1867.

Resolved by the General Assembly of the State of Ohio:

(1.) That we view with alarm the serious losses sustained by wool-growers and sheep-breeders in this State during the past three or four years. In number their flocks have been reduced during the past year 290,000, by the official report of the auditor. In quantity the clip has been reduced, since 1883, one million six hundred thousand pounds, according to the most careful estimates. In value, the clip of 1885 has been reduced at least ten cents per pound, which, estimating the production prior to the act of 1883 at thirty millions pounds, exhibits an annual loss on the clip alone of three million dollars. Such depression

to this important agricultural industry demands earnest and profound consideration.

(2.) If this depression continues it will very soon reduce the flocks still farther, and cause many wool-growers to abandon this and engage in other agricultural pursuits, whereby an increased quantity of food will be added to an already over-supplied market, and thus other branches of agricultural industry must certainly and unavoidably suffer.

(3.) That the various agricultural interests of the State are inseparable, and so far as the influence of economic legislation relates to them, one can not be benefited or injured without affecting others; therefore, to abandon one of these pursuits needing protection, to the free and unopposed competition of foreign nations, under the pretense that their productions are raw material, and that manufactured articles only should be protected, will be both unwise and unjust, and will inaugurate an economic policy that will protect, comparatively, but few, while it will abandon and destroy many.

(4.) Recognizing the fact that the present alarming condition of the business of sheep husbanding is due largely, if not entirely, to the reduction of duties on foreign wools made by the tariff of 1883, we respectfully insist upon a restoration of the duties upon imported wools as they were established by the act of 1867, or what will be fully their equivalent, and respectfully instruct the senators, and earnestly request the members of the house of representatives in congress from this State, to use every honorable exertion to restore to wool-growers the same protection which they had prior to the passage of the act of 1883.

(5.) That the governor be requested to transmit a copy of these resolutions to our senators and to each member of the House of Representatives of the Congress of the United States from Ohio.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Adopted March 31, 1886.

[House Joint Resolution No. 34.]

JOINT RESOLUTION

Allowing A. P. Butterfield, late member of the house from Hamilton county, salary as a member for the month of March, 1886.

Resolved by the General Assembly of the State of Ohio, That Hon. A. P. Butterfield, late member from Hamilton county, be and he is hereby allowed full pay for the month ending March 31, 1886, and the speaker of the house is hereby instructed to draw his order therefor.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.

[JNO. O'NEILL,]
President pro tem. of the Senate.

Adopted April 8, 1886.

[House Joint Resolution No. 35.]

JOINT RESOLUTION

Relative to the admission of George B. Haskins, M.D., to the Dayton asylum for the insane.

WHEREAS, Said George B. Haskins by leaving the State of Vermont has lost his residence in that State and cannot be received into any of the institutions of said State; and

WHEREAS, The said George B. Haskins, M. D., resides now in Ripley, Brown county, Ohio, and is not eligible to be admitted into the Dayton asylum for the insane for the reason that he has not resided in this State for one year last past.

Resolved by the General Assembly of the State of Ohio, That the said George B. Haskins, M.D., having been adjudged insane by the probate court of Brown county upon the certificate of [a] physician and other evidence, the superintendent of the Dayton asylum for the insane be and he is hereby authorized and required to receive said George B. Haskins, M.D., into said institution for treatment, and if said patient recovers, return or deliver him to the proper authorities of Brown county.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
JNO. O'NEILL,
President pro tem. of the Senate.

Adopted April 8, 1886.

[House Joint Resolution No. 39.]

JOINT RESOLUTION

Urging upon congress the speedy passage of the bill (H. R. No. 4902), increasing the pension of soldiers who lost a leg or arm in the line of duty.

WHEREAS, There is now pending in the United States Congress a bill known as H. R. No. 4902, proposing to increase the pensions of soldiers having lost in the line of duty, an arm, or leg, or hand, or part; therefore, be it

Resolved by the General Assembly of the State of Ohio, That we fully endorse the provisions of said bill, and as an earnest of our approval of the measure would urge upon Congress its speedy passage, and that a copy of this resolution be by the governor forwarded to the members of the senate and house in Congress from Ohio.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted April 14, 1886.

[House Joint Resolution No. 10.]

JOINT RESOLUTION

Relative to providing additional room for the use of the State law library.

Resolved by the General Assembly of the State of Ohio, That the State law librarian is hereby authorized to partition off so much of the hall south of the

present library, as shall be necessary for the use of said library, and which will not interfere with the use of the other parts of the building; provided, that in making such improvement the same shall be done without material defacement or injury to the present structure, and in so far as may be, said improvement shall be as temporary and inexpensive as will provide additional room for the use of said library.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted April 14, 1886.

[House Joint Resolution No. 41.]

JOINT RESOLUTION

Indorsing the measure soon to be introduced in the English Parliament by Hon. W. E. Gladstone, relative to the legislative independence of Ireland.

WHEREAS, The people of Ireland have for centuries been oppressed and their rights as freemen, which, according to Christian civilization, they were justly entitled to enjoy, have been subverted by cruel enactments, promulgated against them by the English government; and

WHEREAS, According to the recently announced statements made in the British Parliament by the Hon. William E. Gladstone, that English legislation was the sole cause of the past and present sufferings of the Irish people, and that English rule in Ireland has been a total failure, and that the time has arrived when the Irish people should be given an opportunity of governing themselves through a legislature of their own choosing; therefore, be it

Resolved by the General Assembly of the State of Ohio, That the proposed measure about to be introduced by the Hon. W. E. Gladstone, guaranteeing to Ireland legislative independence, meets with the hearty sympathy of the members of this General Assembly, and that we have full and implicit confidence, that through the statesmanship of the Chief Premier of England, aided by that patriotic and sagacious leader, Charles Stewart Parnell, the wrongs of the Irish people will soon be right.

Resolved, That the governor be requested to transmit a copy of these resolutions to the Hon's. W. E. Gladstone and Charles Stewart Parnell.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted April 16, 1886.

[Senate Joint Resolution No. 21.]

JOINT RESOLUTION

Relative to urging our members in congress to use all honorable means to secure such legislation as is necessary to place all Union soldiers honorably discharged, upon the pension roll.

WHEREAS, The members of the General Assembly of the State of Ohio, recognizing the valuable services rendered by the union soldiers during the late rebellion in preserving the union of the states, and in restoring peace and tranquility between the North and South; and

WHEREAS, Recognizing the fact that almost all of the soldiers who participated in the great struggle were disabled by reason of exposure, and the seed of disease implanted in their systems, which in after years has developed itself; and

WHEREAS, Recognizing the fact that the pension laws as they now are, are not broad enough in their character to do justice to all union soldiers who should be placed upon the pension roll; therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators and respresentatives in congress be and are hereby requested to use all honorable means to secure such legislation as is necessary to place all union soldiers who were honorably discharged from the service upon the pension roll. And that a copy of this resolution be by the governor forwarded to the members of the house and senate in congress from Ohio.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted April 17, 1886.

[House Joint Resolution No. 45.]

JOINT RESOLUTION

Authorizing the superintendent of the Dayton asylum for the insane to receive Ella F. Haskins into said institution.

WHEREAS, Ella F. Haskins, wife of George B. Haskins, by removing from the state of Vermont has lost her residence in said state and cannot be received into any of the institutions of that state; and

WHEREAS, The said Ella F. Haskins now is and for the six months last past has been a resident of Ripley, Brown county, Ohio, and is not eligible to be admitted into the Dayton asylum for the insane, for the reason that she has not been a resident of this State for one year last past; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the said Ella F. Haskins, having been adjudged insane by the probate court of Brown county upon the certificate of a physician and other evidence, the superintendent of the Dayton asylum for the insane be and he is hereby authorized to receive said Ella F. Haskins into said institution for treatment, and if said patient recovers return or deliver her to the proper authorities of Brown county.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted April 21, 1886.

[Senate Joint Resolution No. 24.]

JOINT RESOLUTION

Relative to requesting our Senators and Representatives in Congress to do all possible for the passage of Bill No. 779.

WHEREAS, There has been introduced in the Senate of the United States a bill No. 779: "For pensioning prisoners of war who were confined in Confederate military prisons during the late war;" therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators and representatives in Congress be and they are hereby requested to vote for and urge the passage of the same at the earliest practical moment, and that the governor forward a copy of this resolution to each of our senators and representatives in Washington.

JOHN C. ENTREKIN,
Speaker of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted April 27, 1886.

[House Joint Resolution No. 52.]

JOINT RESOLUTION

To provide for printing extra copies of the election statistics of this State for the year 1885 in pamphlet form.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of State is hereby authorized to have printed in pamphlet form two thousand extra copies of so much of his annual report for the year 1885 as contains the election statistics of the State for that year.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President pro tem. of the Senate.

Adopted May 12, 1886.

[House Joint Resolution No. 53.]

JOINT RESOLUTION

Authorizing the commissioner of railroads and telegraphs to cause additional railroad maps to be mounted.

Be it resolved by the General Assembly of the State of Ohio, That the commissioner of railroads and telegraphs is hereby authorized to cause one thousand railroad maps to be mounted on paste board in addition to the one thousand maps so mounted now authorized by law; provided said extra one thousand maps so mounted shall not cost to exceed the sum of one hundred dollars, which shall be paid from the printing fund; and provided further, that of the two thousand mounted maps each member shall receive twelve copies and the remainder shall be distributed by the commissioner.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
S. A. CONRAD,
President pro tem of the Senate.

Adopted May 12, 1886.

[Senate Joint Resolution No. 22.]

JOINT RESOLUTION

Relative to the printing at the D. and D. institution of letter heads, envelopes, circulars and other incidental printing with the monthly or quarterly report of the State Board of Agriculture.

Resolved by the General Assembly of the State of Ohio, That the letter-heads, envelopes, circulars and other incidental printing, together with the monthly or quarterly crop reports and other necessary pamphlets of the Ohio State Board of Agriculture, shall be executed at the printing department of the D. and D. institution, and when necessary shall be folded and stitched and bound at the State bindery. The supervisor of public printing shall, on the written requisition of the superintendent of said institution, provide the necessary paper for the work, and report the quantity and quality of the same in his annual report. The trustees of the D. and D. institution shall give a detailed exhibit of the work executed for said agricultural board, the amount and quality of paper used in said work, and the amount and its quality on hands, in their annual report. House Joint Resolution No. 128 (vol. 78, O. L., page 437) relative to printing for Ohio State Board of Agriculture, adopted April 10th 1881, be and the same is hereby rescinded.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted May 14, 1886.

[Senate Joint Resolution No. 23.]

JOINT RESOLUTION

To provide for a complete roster, as near as possible, of all from Ohio, who participated in the war 1812.

WHEREAS, It has been ordered that a roster of all Ohio soldiers who participated in the Mexican war, and the war of the rebellion should be published in book form; and

WHEREAS, It is equally desirable to similarly perfect the history of the war of 1812; therefore

Be it resolved by the General Assembly of the State of Ohio, That the governor, secretary of state and adjutant general be and they are hereby authorized to secure the publication in book form of the complete roster of all the regiments or parts of regiments furnished by Ohio in the war of 1812. Said publication to contain the main items of the record of each officer and soldier so far as the same is obtainable from the rolls now in the adjutant general's office and in the war department at Washington or elsewhere.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted May 14, 1886.

[Senate Joint Resolution No. 27.]

JOINT RESOLUTION

Relative to authorizing the secretary of state to have printed, in pamphlet form, the election laws now, or about to be, in force in the State.

Resolved by the General Assembly of the State of Ohio, That the secretary of state be and he is hereby authorized and directed to cause the election laws now in force in this State, or which may become laws at this session of the legislature, to be compiled and published in pamphlet form, with such notes, explanations, forms and instructions as in his opinion may be necessary; and that he cause the same, when published, to be distributed, through the several county clerks, in sufficient number to supply ten copies to each member of the legislature and one copy to each of the several judges and clerks of elections in this State; and that the same be so distributed on or before October 1st, 1886.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Adopted May 14, 1886.

[House Joint Resolution No. 55.]

JOINT RESOLUTION

Authorizing the board of public works of the State of Ohio, upon the passage of H. R. No. 7480, now pending in congress, for the repair of certain public works, rivers and harbors, to transfer to the proper officers of the United States all rights and franchises of the Muskingum river.

WHEREAS, There is pending in the congress of the United States H. R. Bill No. 7480, a bill making appropriations for the construction, repair and preservation of certain public works, rivers and harbors, and for other purposes; and

WHEREAS, In said bill, in section one thereof, there is an item as follows: "Improvement of the Muskingum river, Ohio, between Zanesville and the mouth of the river, and for operating the same, twenty thousand dollars. And the United States hereby accepts from the State of Ohio the said Muskingum river improvement, and all the franchises and property of every kind, and rights in said river and its improvements now owned, held and enjoyed by the State of Ohio, including all water leases and rights to use water under and by virtue of any lease of water now running and in force between the State of Ohio and all persons using said water, hereby intending to transfer to the United States such rights in said leases and contracts as are now owned, held or reserved by the State of Ohio; but not to affect any right to the use of the water of said river now owned and held by the lessees of any water rights under any lease or contract with the State of Ohio. And the United States hereby assumes control of said river, subject to the paramount interests of navigation. The provisions of this act, so far as they relate to the Muskingum river, shall not take effect, nor shall the money hereby appropriated be available until the State of Ohio, acting by its duly authorized agents, turns over to the United States all property ceded by the act of the general assembly aforesaid, and used in its care and improvement, and any balance of money appropriated by said State for the improvement of said river, and which is not

expended, on the fifteenth day of July, eighteen hundred and eighty-six; provided, that the custody and ownership of said Muskingum river improvement shall be vested in the United States without condition, and the foregoing provisions shall not take effect until the State of Ohio shall duly consent to this provision;" and

WHEREAS, It is desirable that the State of Ohio shall consent to the provisions of said act aforesaid; therefore,

Be it resolved by the General Assembly of the State of Ohio, That upon the passage of the act aforesaid by the congress of the United States and its approval by the President, the said State of Ohio hereby consents to all of the provisions in said act named, and the board of public works is hereby directed to transfer to the proper officers of the United States all the property, money, rights and franchises in said act named, upon the fifteenth day of July, A. D. eighteen hundred and eighty-six, or so soon thereafter as the same may be demanded by the United States.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted May 14, 1886.

[House Joint Resolution No. 44.]

JOINT RESOLUTION

Instructing our senators and requesting our representatives in congress to vote against the Morrison tariff bill.

Be it resolved by the General Assembly of the State of Ohio, That our senators in the congress of the United States be instructed and our representatives be requested to oppose, by every honorable means, the passage of the bill known as the "Morrison tariff bill," lately introduced in that body; which, if passed, will cripple the industries of the country, and in a great measure destroy, the great wool growing interest of this State. And the governor is hereby requested to forward copies of this resolution to our senators and representatives in the United States congress.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted May 18, 1886.

[House Joint Resolution No. 59.]

JOINT RESOLUTION

Recommending the board of public works of Ohio to construct culverts under the Miami and Erie canal in certain places in Brown and Washington townships, Paulding county, Ohio.

WHEREAS, Large tracts of land along the line of the Miami and Erie canal in Brown and Washington townships, Paulding county, Ohio, have been rendered unfit for cultivation on account of insufficient drainage, due to incapacity, or total want of culverts under said canal; therefore

Be it resolved by the General Assembly of the State of Ohio, That the board of public works are hereby recommended to put in culverts at the following places in said townships, on the line of said canal, viz: at about 4,800 feet north of mile post No. 163, another 3,690 feet north of mile post No. 165, another 3,186 feet north of mile post No. 167, and another about 1,178 feet north of mile post No. 176. And also to construct a ditch on east side of said canal from 3,690 feet north of mile post No. 165 to 3,686 feet north of mile post No. 167. Said culverts and ditch should be [of] large capacity and should not cost in toto to exceed fifty-nine hundred ($5,900) dollars, to be paid out of the appropriation already made to said Miami and Erie canal.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted May 18, 1886.

[Senate Joint Resolution No. 33.]

JOINT RESOLUTION

Relative to the adjournment on May 19, 1886.

Resolved by the General Assembly of the State of Ohio, That the present session of the 67th general assembly adjourn on Wednesday, May 19, 1886, at 3 o'clock P. M., to meet again Tuesday, January 4, 1887, at 4 o'clock P. M.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted May 19, 1886.

[Senate Joint Resolution No. 30.]

JOINT RESOLUTION

Relative to the printing of two thousand copies of Senate Bill No. 248.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state be and he is hereby directed to cause to be printed two thousand copies of Senate Bill No. 248, by Mr. Dow, providing against the evils resulting from the traffic in intoxicating liquors, as passed; and that he immediately cause the same to be distributed among the county auditors of the State.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.
ROB'T P. KENNEDY,
President of the Senate.

Adopted May 19, 1886.

[House Joint Resolution No. 56.]

JOINT RESOLUTION

Requiring the annual report of the board of public works of Ohio to contain an itemized statement of all moneys expended on the public works of the State.

WHEREAS, The members of the general assembly and the public at large are unable from the published reports of the board of public works of Ohio to obtain accurate information in regard to the expenditure of the public moneys appropriated for the canals of this State; therefore, be it

Resolved by the General Assembly of the State of Ohio, That the future reports of our State board of public works be required to contain an itemized statement of all moneys expended, giving date, amount, to whom paid, for what purpose, and on what portion of the canal expended.

DANIEL J. RYAN,
Speaker pro tem. of the House of Representatives.

ROB'T P. KENNEDY,
President of the Senate.

Adopted May 19, 1886.

State of Ohio, Office of the Secretary of State, ss:

I, J. S. Robinson, as Secretary of State of the State of Ohio, do hereby certify that the foregoing laws and joint resolutions were printed under and by the authority of the General Assembly of said State, and that the same are true copies, copied from the original rolls on file in this office, of the laws passed and the joint resolutions adopted by the Sixty-seventh General Assembly of the State of Ohio, at its regular session, begun and held in the city of Columbus, January 4, 1886, and ended May 19, 1886.

Witness my signature and the Great Seal of the State of Ohio, at Columbus, the 15th day of June, A. D. 1886.

[GREAT SEAL]

J. S. ROBINSON,
Secretary of State.

ADDENDUM.

[As appears from the certificates, hereto appended, of the clerks of the Senate and House of Representatives, Senate bill No. 15, "A Bill to amend section 3655 of the Revised Statutes of Ohio," regularly passed both houses of the 67th General Assembly, but failed to be filed with the secretary of state for the reason that the enrolling committees of the two houses each failed to report the enrollment of the bill and the same was therefore not signed by the speaker of the house and president of the Senate. As the bill was among those regularly passed, I have deemed it proper to print the same as an addendum, together with the certificates of the clerks of the House and Senate.—J. S. ROBINSON, *Secretary of State.*]

[Senate Bill No. 15.]

AN ACT

To amend section 3655 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3655 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 3655. The statement of any such company, the capital of which is composed in whole or in part of notes, shall, in addition to the foregoing, exhibit the amount of notes which originally formed the capital, and also what proportion of such notes is still held by the company and considered capital; and every company organized under any law of this State which fails to make and deposit such statement, or to reply to any inquiry of the superintendent, with respect to such statement, shall be subject to a penalty of five hundred dollars and an additional five hundred dollars for every month that it continues thereafter to transact any business of insurance, to be recovered by action in the name of the State, and, on collection, paid into the state treasury for the benefit of the state common school fund; and the attorney-general, on the request of the superintendent of insurance, shall institute such action against any company so delinquent, in the court of appropriate jurisdiction in Franklin county, or in the court of appropriate jurisdiction of the county in which said company is located or has its principal place of business, as he prefers.

SECTION 2. Said original section 3655 is hereby repealed; and this act shall take effect from and after its passage.

OFFICE OF THE CLERK OF THE SENATE,
COLUMBUS, O., *June* 17, 1886.

I hereby certify that said bill, to-wit: S. B. No. 15—Mr. Lawrence—was introduced and read the first time in the Senate on the 6th day of January, 1886; read the second time on the 8th day of January, 1886, and referred to the Committee on Insurance; reported back by said committee on the 4th day of February, 1886, amended as follows: By adding, in line 9, after the word "Superintendent" the words, "with respect to such statement," which amendment was agreed to; that

said bill was then engrossed, read the third time and passed by a vote of yeas 34, nays none; that the title of the same was agreed to; that the House of Representatives concurred in the passage of said bill, with certain amendments, in which amendments the Senate, on the 22d day of April, 1886, by a vote of yeas 1, nays 20, refused to concur; and that afterwards, to-wit: on the 11th day of May, 1886, the House of Representatives receded from said amendments.

All of which appears upon the journals of the Senate of the dates above mentioned.

Also, that the foregoing is a true and correct copy of said bill as the same was passed by both branches of the General Assembly.

Attest:

C. N. VALLANDIGHAM,
Clerk Ohio Senate.

OFFICE OF CLERK OF THE HOUSE OF REPRESENTATIVES,
COLUMBUS, O., *June* 17, 1886.

I hereby certify that Senate Bill No. 15, by Mr. Lawrence, was read the first time in the House of Representatives, February 9th, 1886; second time, February 11th, 1886, and referred to the Standing Committee on Insurance; reported back to the House by said Committee on the 27th day of March, 1886, amended as follows: Strike out in lines 15 and 16 the following: "In the court of appropriate jurisdiction in Franklin county or"; also in line 17, "as he prefers." Which amendments were agreed to.

Said bill was ordered to be engrossed and read the third time on the following Thursday, to-wit: April 1st, 1886.

Said bill was read the third time on April 1st, 1886, and passed by a vote of yeas 58, nays 2. The title thereof was agreed to.

The Senate having refused to concur in said amendments, the House of Representatives receded therefrom on May 11, 1886, by a vote of yeas 62, nays 1. All of which appears upon the journals of the House of Representatives of the dates herein given.

DAVID LANNING,
Clerk of the House of Representatives.

TIMES OF HOLDING THE CIRCUIT COURTS AND COURTS OF COMMON PLEAS IN OHIO IN 1886.

Counties.	County Seats.	Circuits.	Circuit Courts.	Districts.	Subdivisions.	Common Pleas Courts.
Adams	West Union	4	April 6, Nov. 17	5	1	Jan. 5, April 13, Sept. 14.
Allen	Lima	3	June 8, Dec. 14	3	1	Feb. 8, May 17, Oct. 11.
Ashland	Ashland	5	April 6, Oct. 26	6	2	March 1, May 10, Sept. 13.
Ashtabula	Jefferson	7	March 16, Oct. 6	9	3	Jan. 11, April 5, Oct. 25.
Athens	Athens	4	Jan. 25, Oct. 18	7	3	March 1, May 31, Nov. 15.
Auglaize	Wapakoneta	3	June 1, Dec. 9	3	1	Jan. 5, April 13, Sept. 14.
Belmont	St. Clairsville	7	June 15, Dec. 14	4	2	Jan. 12, April 13, Nov. 3.
Brown	Georgetown	4	April 12, Nov. 20	5	1	Jan. 5, May 4, Oct. 19.
Butler	Hamilton	1	April 19, Oct. 11	2	1	Jan. 11, May 3, Oct. 18.
Carroll	Carrollton	7	Jan. 19, Sept. 14	4	1	Jan. 26, May 11, Oct. 4.
Champaign	Urbana	2	April 19, Oct. 25	2	2	Jan. 18, May 3, Sept. 27.
Clarke	Springfield	2	June 21, Dec. 13	2	3	Jan. 4, May 3, Sept. 27.
Clermont	Batavia	1	April 6, Oct. 4	5	1	Feb. 9, May 4, Oct. 19.
Clinton	Wilmington	1	May 17, Oct. 25	2	3	Jan. 11, May 24, Oct. 4.
Columbiana	New Lisbon	7	Jan. 26, Sept. 17	9	1	Feb. 15, May 31, Oct. 18.
Coshocton	Coshocton	5	April 20, Nov. 9	6	3	Feb. 2, April 20, Oct. 18.
Crawford	Bucyrus	3	March 2, Nov. 4	10	2	Jan. 4. April 19, Sept. 13.
Cuyahoga	Cleveland	6	May 10, Nov. 22	4	3	Jan. 4, April 6, Sept. 20.
Darke	Greenville	2	May 18, Nov. 16	2	1	Jan. 11, May 24, Oct. 4.
Defiance	Defiance	3	March 9, Nov. 9	3	2	Feb. 1, April 26, Sept. 6.
Delaware	Delaware	5	June 1, Dec. 14	6	1	Jan. 11, April 12, Sept. 27.
Erie	Sandusky City	6	Feb. 23, Oct. 18	4	1	Feb. 1, May 3, Oct. 25.
Fairfield	Lancaster	5	Jan. 5, Sept. 7	7	1	Jan. 18, April 19, Oct. 25.
Fayette	Washington C. H.	2	May 24, Nov. 22	5	2	Feb. 1, May 3, Oct. 18.
Franklin	Columbus	2	Jan. 11, Sept. 20	5	3	Jan. 4, April 12, Sept. 13.
Fulton	Wauseon	3	Feb. 5, Sept. 17	3	3	March 8, June 14, Nov. 22.
Gallia	Gallipolis	4	March 4, Nov. 3	7	3	Feb. 8, May 17, Oct. 4.
Geauga	Chardon	7	Feb. 23, sept. 23	9	3	Jan. 11, April 5, Oct. 25.
Greene	Xenia	2	March 29, Oct. 11	2	3	Jan. 11, May 3, Sept. 27.
Guernsey	Cambridge	7	June 8, Dec. 7	8	1	Feb. 2, April 27, Oct. 4.
Hamilton	Cincinnati	1	Jan. 4, Nov. 8	1	.....	1st Monday Jan., 2d Monday May, 1st Mon. Nov.
Hancock	Findlay	3	Feb. 9, Oct. 12	10	1	Feb. 23, May 17, Nov. 1.
Hardin	Kenton	3	March 16, Oct. 26	10	1	Jan. 18, April 5, Sept. 20.
Harrison	Cadiz	7	June 1, Nov. 23	3	3	Jan. 5, April 6, Sept. 14.
Henry	Napoleon	3	April 27, Nov. 11	3	3	Jan. 4, April 5, Sept. 6.
Highland	Hillsborough	4	April 26, Nov. 26	5	2	Jan. 4, April 12, Oct. 18.
Hocking	Logan	4	Feb. 8, Oct. 22	7	1	Feb. 15, May 10, Nov. 15.
Holmes	Millersburg	5	April 13, Nov. 2	6	3	Jan. 4, May 24, Aug. 30.
Huron	Norwalk	6	Feb. 2, Oct. 4	4	1	Feb 23, May 24, Nov. 8.
Jackson	Jackson	4	June 14, Dec. 16	7	2	Feb. 22, May 17, Nov. 8.
Jefferson	Steubenville	7	May 25, Nov. 16	3	3	Jan. 12, April 13, Oct. 18.
Knox	Mt. Vernon	5	March 2, Oct. 5	6	1	Feb. 23, June 1, Nov. 8.
Lake	Painesville	7	Feb. 2, Sept. 27	9	3	Feb. 15, May 3, Nov. 22.
Lawrence	Ironton	4	March 15, Nov. 8	7	2	March 22, May 31, Nov. 22.
Licking	Newark	5	March 16, Oct. 12	6	1	Jan. 4, March 22, Sept. 27.
Logan	Bellefontaine	3	Jan. 26, Sept. 28	10	3	Jan. 18, April 12, Sept. 13.
Lorain	Elyria	6	Jan. 27, Sept. 27	4	2	Feb. 8, May 3, Oct. 18.
Lucas	Toledo	6	March 15, Oct. 29	4	1	Jan. 4, June 7, Oct. 4.
Madison	London	2	March 22, Oct. 4	5	3	Feb. 9, May 18, Nov. 2.
Mahoning	Youngstown	7	April 6, Oct. 19	9	2	Jan. 4, May 3, Sept. 6.
Marion	Marion	3	Feb. 16, Sept. 21	10	2	Feb. 23, May 17, Oct. 18.
Medina	Medina	6	Jan. 26, Sept. 24	4	2	Jan. 4, April 12, Sept. 6.
Meigs	Pomeroy	4	Feb. 23, Oct. 29	7	3	Jan. 18, April 26, Sept. 13.
Mercer	Celina	3	May 4, Dec. 7	3	1	March 8, June 7, Nov. 15.
Miami	Troy	2	April 26, Nov. 1	2	2	Jan. 11, May 3, Sept. 27.
Monroe	Woodsfield	4	Jan. 14, Sept. 23	3	2	March 2, June 15, Oct. 18.
Montgomery	Dayton	2	June 7, Nov. 29	2	1	Jan. 11, May 3, Oct. 4.
Morgan	McConnelsville	5	May 4, Oct. 19	3	1	Mar. 16, June 15, Sept. 28.
Morrow	Mt. Gilead	5	May 18, Dec. 7	6	2	Jan. 18, April 5, Oct. 25.
Muskingum	Zanesville	5	March 30, Nov. 23	3	1	Jan. 18, April 12, Nov. 8.
Noble	Caldwell	7	June 4, Nov. 30	3	1	Jan. 5, April 6, Sept 14.
Ottawa	Port Clinton	6	March 1, Oct. 25	4	1	Jan. 4, April 6, Sept. 27.
Paulding	Paulding	3	May 18, Nov. 23	3	2	Jan. 4, April 5, Oct. 18.
Perry	New Lexington	5	May 11, Nov. 30	7	1	March 8, May 31, Oct. 18.
Pickaway	Circleville	4	May 10, Dec. 1	5	3	Jan. 5, April 6, Sept. 14.
Pike	Waverly	4	June 9, Dec. 13	7	2	Feb. 1, April 26, Oct. 18.
Portage	Ravenna	7	March 2, Oct. 13	9	2	Jan. 4, May 3, Sept. 6.
Preble	Eaton	2	May 11, Nov. 9	2	1	Feb. 15, June 7, Nov. 22.

TIMES OF HOLDING THE CIRCUIT COURTS AND COURTS OF COMMON PLEAS, ETC.—Concluded.

Counties.	County Seats.	Circuits.	Circuit Courts.	Districts.	Subdivisions.	Common Pleas Courts.
Putnam	Ottawa	3	May 11, Nov. 30	3	3	Feb. 1, May 17, Oct. 18.
Richland	Mansfield	5	Jan. 19, Sept. 14	6	2	March 1, May 17, Oct. 18.
Ross	Chillicothe	4	May 24, Dec. 6	5	2	Jan. 4, April 12, Nov. 1.
Sandusky	Fremont	6	Feb. 9, Oct. 11	4	1	Jan. 11, April 12, Sept. 20.
Scioto	Portsmouth	4	March 22, Nov. 11	7	2	Feb. 1, April 26, Oct. 13.
Seneca	Tiffin	3	March 23, Nov. 16	10	1	Jan. 18, April 8, Sept. 20.
Shelby	Sidney	2	April 13, Oct. 19	3	1	Jan. 4, April 19, Sept. 13.
Stark	Canton	5	Feb. 16, Sept. 28	9	1	Jan. 4, May 3, Sept. 20.
Summit	Akron	6	Jan. 5, Sept. 14	4	2	Feb. 1, May 3, Oct. 4.
Trumbull	Warren	7	April 27, Nov. 3	9	2	Feb. 8, May 31, Oct. 18.
Tuscarawas	N. Philadelphia	5	April 27, Nov. 16	8	3	Feb. 2, May 4, Oct. 5.
Union	Marysville	3	April 20, Oct. 5	10	3	Feb. 22, May 24, Oct. 25.
Van Wert	Van Wert	3	May 25, Nov. 26	3	1	Feb. 1, May 10, Oct. 11.
Vinton	McArthur	4	Feb. 15, Oct. 26	7	2	Jan. 11, April 5, Sept. 6.
Warren	Lebanon	1	May 10, Nov. 1	2	3	Jan. 11, May 3, Sept. 27.
Washington	Marietta	4	Jan. 18, Sept. 27	7	3	Jan. 25, May 3, Oct. 11.
Wayne	Wooster	5	Feb. 2, Sept. 21	6	3	March 1, Aug. 30, Nov. 29.
Williams	Bryan	3	Jan. 19, Sept. 14	3	2	March 8, May 31, Nov. 15.
Wood	Bowling Green	3	April 8, Oct. 19	10	1	Feb. 23, May 17, Nov. .
Wyandot	Up. Sandusky	3	Feb. 23, Sept. 23	10	2	March 22, June 7, Nov. 15.

THE STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.

I, J. S. ROBINSON, as Secretary of State of the State of Ohio, do hereby certify that the foregoing is a correct statement of the times of holding the Circuit Courts and Courts of Common Pleas in the several counties of the State of Ohio, in the year 1886, taken from the official lists returned by the judges of said courts to this office, as amended by the acts of the General Assembly.

WITNESS my hand and official seal, this 15th day of June, A. D. 1886.

[SEAL.]

J. S. ROBINSON,
Secretary of State.

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